

By Mr. FITZGERALD: Memorial of Atlantic Deeper Waterways Association, urging adoption of the Atlantic intracoastal waterways system; to the Committee on Rivers and Harbors.

Also, memorial of National Association of Vicksburg Veterans, relative to appropriation for reunion at Vicksburg in 1917; to the Committee on Appropriations.

Also, petition of 53 cigar, tobacco, stationery, and newspaper storekeepers, protesting against internal-revenue war tax on tobacco, etc.; to the Committee on Ways and Means.

Also, petition of Yetta Kerber, of New York, protesting against the increase in tax on beer, etc.; to the Committee on Ways and Means.

Also, memorial of Sons of the Revolution, State of New York, favoring preparedness; to the Committee on Military Affairs.

Also, memorial of Western States Reclamation Conference, favoring passage of Senate bill 6827, relative to swamp lands, etc.; to the Committee on the Public Lands.

Also, memorial of Twenty-eighth Ward Taxpayers Protective Association, favoring passage of the Hamill bill; to the Committee on Reform in the Civil Service.

By Mr. FOCHT: Evidence in support of House bill 7079, for the relief of Riley R. Zerbe; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 6584, for the relief of David E. Shaver; to the Committee on Invalid Pensions.

By Mr. FOSTER: Petitions of sundry citizens of the State of Illinois, favoring law abolishing throughout the United States the manufacture, sale, etc., of alcoholic liquors; to the Committee on the Judiciary.

By Mr. FULLER: Papers to accompany House bill 7096, granting an increase of pension to Adon Butler; to the Committee on Invalid Pensions.

Also, petition of Seattle Chamber of Commerce, concerning railway-mail pay; to the Committee on the Post Office and Post Roads.

Also, papers to accompany bill granting an increase of pension to George D. Hart; to the Committee on Invalid Pensions.

Also, petition of Sons of the Revolution, favoring national defense; to the Committee on Military Affairs.

Also, petition of 96 members of Local Union No. 1722, United Mine Workers of America, of Oglesby, Ill., against large appropriations for national defense, and for the manufacture by the Government of all necessary munitions of war; to the Committee on Military Affairs.

By Mr. GORDON: Petitions of James W. Brady and 885 other citizens of Cleveland, Ohio, protesting against any additional taxes on beer, etc.; to the Committee on Ways and Means.

By Mr. HILLIARD: Petition of citizens of Merino, Colo., against militarism; to the Committee on Military Affairs.

By Mr. HOLLINGSWORTH: Evidence in support of bill for pension for Homer D. Truax; to the Committee on Invalid Pensions.

Also, memorial of Friends' Boarding School, at Barnesville, Ohio, and 93 students, opposing preparedness; to the Committee on Military Affairs.

Also, memorial of Ohio Millers' State Association, favoring law for grading grain; to the Committee on Agriculture.

Also, memorial of Neugart & Eberle, Bridgeport, Ohio, relative to increase of taxes on liquor traffic; to the Committee on Ways and Means.

By Mr. HOWARD: Petition of 71 citizens of Clearfield County, Pa., for a Christian amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. KINKAID: Petition of citizens of Alliance, Nebr., favoring prohibitive tax on manufacture and sale of liquors except for medicinal purpose; to the Committee on the Judiciary.

By Mr. LAFEAN: Memorial of Columbus (Ohio) Chamber of Commerce, relative to railway-mail pay; to the Committee on the Post Office and Post Roads.

By Mr. LOUD: Papers to accompany bill for increase in pension of Francis King; to the Committee on Invalid Pensions.

By Mr. NOLAN: Protest of the Society of Friends, of Pasadena, Cal., against any increase in military appropriations; to the Committee on Military Affairs.

By Mr. PRATT: Petition of B. Doolittle, C. H. Faust, C. W. Arnold, J. L. Beak, J. R. Thexten, and F. Cogers, all of Elmira, N. Y., protesting against the Moon bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Wilhelm H. Warns, Joseph Nitsche, Henry Otto Hauptmann, Joseph Eck, George H. Rochs, and Ernest Kaulfuss, all of Corning, N. Y., favoring embargo upon further shipment of war material; to the Committee on Military Affairs.

By Mr. SNYDER: Petition of Utica (N. Y.) Lodge, No. 33, Benevolent and Protective Order of Elks, favoring passage of

House bill 437, making the "Star-Spangled Banner" the national anthem; to the Committee on the Judiciary.

Also, petition of sundry citizens of the thirty-third congressional district of New York, favoring bill taxing mail-order houses; to the Committee on Ways and Means.

By Mr. STEDMAN: Petition of operatives of Minneola Manufacturing Co. and King Cotton Mills, protesting against the child-labor bill; to the Committee on Labor.

Also, petition of Revolution Cotton Mills operatives, Greenboro, N. C., opposing child-labor bill; to the Committee on Labor.

By Mr. TILSON: Petition of John Elliott, of New Haven, Conn., favoring proper national-defense system; to the Committee on Military Affairs.

Also, petition of Allan M. Osborn Camp, United Spanish War Veterans, for pensioning of Spanish War veterans; to the Committee on Pensions.

By Mr. TIMBERLAKE: Petition of Andrew Duman, Mrs. Katie Specht, Felix Stromberg, Charles W. Mayer, Mrs. A. Duman, Mrs. Angeline Stromberg, citizens of Akron, Colo., protesting against appropriations for increased armament; to the Committee on Military Affairs.

By Mr. TOWNER: Petition of J. L. Gardner and 152 other citizens of Leon, Iowa, protesting against the adoption of compulsory military service; to the Committee on Military Affairs.

By Mr. YOUNG of North Dakota: Memorial of Synod of the Northwest of the Reformed Church in the United States, protesting against the exportation of munitions of war; to the Committee on Military Affairs.

Also, petition of citizens of Jamestown, N. Dak., favoring a Federal motion-picture commission; to the Committee on Education.

SENATE.

FRIDAY, January 7, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we linger this sacred moment in Thy presence at the opening of a new legislative day. We bless Thee for the fair vision that opens to our minds of a happy people surrounded by the comforts of home, prosperous in their business enterprises, in essential unity, loving liberty, honoring the law, fearing God. Grant, we pray, that no misconception of the great principles of life may mar the beautiful prospect, the glorious opening of the years to come to this happy people. Guide us in the discharge of our duties. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

PURCHASE OF SEEDS (S. DOC. NO. 234).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a detailed statement showing the place, the quantity, and price of seeds purchased and the dates of purchase, etc., which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 562) to amend the act approved June 25, 1910, authorizing a Postal Savings System, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 3681) authorizing the construction of a bridge across the Arkansas River at or near Tulsa, Okla., and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a joint resolution of the Legislature of Georgia relative to the development and use of water power in the South in conjunction with plans for an increase of the armaments of the Army and Navy, which was referred to the Committee on Military Affairs.

He also presented a resolution adopted at the fourth annual meeting of the Council of the National Association Opposed to Woman Suffrage, held in Washington December 15, 1915, remonstrating against the adoption of an amendment to the Constitution granting the right of suffrage to women, which was referred to the Committee on Woman Suffrage.

Mr. WORKS presented a petition of sundry citizens of Colfax, Cal., praying for the enactment of legislation to provide for Government ownership of water-power utilities, which was referred to the Committee on Commerce.

Mr. SMITH of South Carolina presented memorials of sundry citizens of South Carolina, remonstrating against the enactment of legislation to prohibit interstate commerce in the products of child labor, which were referred to the Committee on Education and Labor.

Mr. KERN presented a memorial of 500 citizens of Bedford, Ind., remonstrating against a system of compulsory military service, which was referred to the Committee on Military Affairs.

He also presented a petition of the Chamber of Commerce of Indianapolis, Ind., praying for an increase in armaments, which was referred to the Committee on Military Affairs.

Mr. HITCHCOCK presented a memorial of Local Union No. 243, Farmers' Cooperative and Educational Union, of Winside, Nebr., and a memorial of Local Union No. 109, Farmers' Cooperative and Educational Union, of Snyder, Nebr., remonstrating against an increase in armaments, which were referred to the Committee on Military Affairs.

Mr. McLEAN presented a petition of Time Lodge, of New Britain, Conn., praying for the placing of an embargo on munitions of war, which was referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Sound View, Conn., remonstrating against an increase in armaments, which was referred to the Committee on Military Affairs.

Mr. WEEKS presented a petition of Freja Lodge, No. 205, of New Bedford, Mass., praying for the placing of an embargo on munitions of war, which was referred to the Committee on Foreign Relations.

He also presented the memorial of James M. Marden, of Roxbury, Mass., remonstrating against an increase in armaments, which was referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of Massachusetts and a petition of the Society of Sons of the Revolution of the District of Columbia, praying for an increase in armaments, which were referred to the Committee on Military Affairs.

He also presented resolutions adopted by the National Council of Congregational Churches, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented an affidavit in support of the bill (S. 563) granting a pension to Alice R. Hutchinson, which was referred to the Committee on Pensions.

Mr. LODGE presented petitions of sundry citizens of Massachusetts, praying for the enactment of legislation to provide a standard price on patented and trade-marked articles, which were referred to the Committee on Education and Labor.

Mr. HARDWICK. I present a joint resolution passed by the Legislature of Georgia, which I ask may be printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the joint resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Whereas we believe the people of the United States should never become a warlike people, yet John Hay was right when he said, "No chip on the shoulder, no swaggering before the world, but a firm stand, and deeds when deeds are necessary"; and

Whereas we feel a national pride in that wisdom and patriotism which have so marked President Woodrow Wilson as one of the greatest and safest statesmen in the history of our country; and

Whereas in the country's plans of preparedness for national defense, as stated by President Wilson, "We can and should profit in all that we do by the experience and example that have been made obvious to us by the military and naval events of the actual present," especially in the country of Germany; and

Whereas Germany has so notably employed her natural resources for national defense and especially in the example of her taking the nitrogen from the atmosphere not only to manufacture her needed explosives but also for the fertilization of her food crops, thus making her independent of her former supply of nitrates from Chile: Therefore, by this joint resolution, be it

Resolved by the Legislature of the State of Georgia:

(1) That we strongly approve and pledge ourselves to support those ideals and principles for practical and adequate preparedness so patriotically and wisely enunciated by President Wilson in his late speech before the Manhattan Club, of New York City.

(2) That any plans of preparedness for national defense which Congress may consider and finally adopt should include, so far as possible, the economic development of those natural resources of our country which will not only contribute to national defense in times of war, but to the Nation's prosperity and wealth in times of peace.

(3) Therefore we especially urge upon the Senators and Members of the lower House of Congress from the State of Georgia that they press upon the attention of President Wilson and Secretaries of War and Agriculture and urge upon the Naval and Military Committees and the Agricultural Committees of both Houses of Congress the serious consideration of the great water powers in the Chattahoochee River, the Coosa River, the Savannah and Ocmulgee Rivers, the Tallapoosa River, and notably at Mussel Shoals in the Tennessee River, which can be developed by the building of locks and dams, and not only improve the navigation of these streams, so long neglected and greatly needed, but also with these cheap water powers provide the Nation with its needed nitrates for explosives in times of war and provide the farmers

with their needed nitrogen for the fertilization of their crops in times of peace.

(4) The economic importance of considering the utilization of these water powers in connection with the Nation's plans for national defense is measured by the important fact that this country has imported Chilean nitrates since the year 1867, to include 11 months of the fiscal year 1915, amounting in value to \$261,990,054.86, and on these importations the manufacturing and farming interests of the United States, for the same period, paid an export duty to the country of Chile of approximately \$90,000,000.

(5) That our armor-making plants; that our shipbuilding concerns; that our gunmaking plants and our powder-making factories, especially the production of nitrogen for powder making, should not be all closely concentrated in a narrow strip of country from 200 to 300 miles in length and extending on an average less than 100 miles in the interior of the country from the coast, as is now the case, from Connecticut to Virginia, and the Legislature of the State of Georgia respectfully declares that it is the duty of Congress in adopting any plan of preparedness for national defense to consider the economic development in other sections of the country, and especially in the South, where, in her navigable streams, are to be found water powers of the magnitude and cheapness that when developed will permit the largest use and scientific application of electricity through the electric furnace, which has contributed so wonderfully to Germany's national defense.

(6) That the governor of this State is hereby requested to select and name 15 representative citizens from the State of Georgia to visit Washington during the coming session of Congress and advocate the usefulness and efficiency of this joint resolution passed by the legislature of this State for economical and practical preparedness of this country for national defense.

Approved November 27, 1915.

The foregoing resolution, enacted by the General Assembly of Georgia, is signed by G. Ogden Persons, president State senate, and Wm. H. Burwell, speaker house of representatives, and approved by Gov. N. E. Harris, of the date above.

THE GEORGIA COMMITTEE.

In accordance with the attached resolution, Gov. Harris has appointed the following committee to carry out the purposes thereof: Chas. S. Barrett, Union City, president National Farmers' Union, chairman; John D. Walker, Sparta, banker, State senator from the twelfth district; S. M. Jackson, Savannah, labor leader, representative from Chatham County; S. T. Blalock, Fayetteville, banker; J. J. Brown, Bowman, farmer, president Georgia Farmers' Union; John A. Brice, Atlanta, secretary and treasurer Atlanta Journal Publishing Co.; Hollins N. Randolph, Atlanta, attorney at law; J. N. King, Rome, president Coosa River Association; T. F. Johnson, Jefferson, farmer; J. D. Price, Farmington, farmer and commissioner of agriculture; P. S. Etheridge, Jackson, banker, president Georgia Bankers' Association; Rev. B. D. Gray, D. D., LL. D., Atlanta, corresponding secretary Baptist Home Mission Board; Mel R. Wilkinson, Atlanta, business man, retiring president Atlanta Chamber of Commerce; R. L. Carithers, Winder, banker; J. Rice Smith, Augusta, president Georgia Chemical Works.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. THOMAS, from the Committee on Military Affairs, to which was referred the bill (S. 1781) to correct the military record of Nathaniel Monroe, reported it with amendments and submitted a report (No. 30) thereon.

Mr. FLETCHER, from the Committee on Military Affairs, to which was referred the bill (S. 1378) to amend the military record of John P. Fitzgerald, reported it without amendment and submitted a report (No. 31) thereon.

MINING AND METALLURGICAL SOCIETY OF AMERICA (S. DOC. NO. 233).

Mr. SMOOT, from the Committee on Printing, reported the following resolution (S. Res. 51), which was considered by unanimous consent and agreed to:

Resolved, That the manuscript submitted by the Senator from Utah (Mr. SMOOT) on January 6, 1916, entitled "Synopsis of conference of the Mining and Metallurgical Society of America, with various mining organizations, December 16, 1915," be printed as Senate document, and that 10,000 additional copies be printed for the use of the Senate document room.

DISTRIBUTION OF FARM PRODUCTS (S. DOC. NO. 240).

Mr. FLETCHER, from the Committee on Printing, reported the following resolution (S. Res. 52), which was considered by unanimous consent and agreed to:

Resolved, That the manuscript submitted by the Senator from Florida (Mr. FLETCHER) on January 5, 1916, entitled "Statements by Mr. David Lubin, American delegate to the International Institute of Agriculture at Rome, and others, relating to distribution of farm products," be printed as a Senate document.

ADDRESS BY DR. THOMAS HUNT (S. DOC. NO. 239).

Mr. FLETCHER, from the Committee on Printing, reported the following resolution (S. Res. 53), which was considered by unanimous consent and agreed to:

Resolved, That the manuscript submitted by the Senator from Florida (Mr. FLETCHER) on January 5, 1916, entitled "The Relation of a Permanent Agriculture to Social Welfare," an address by Dr. Thomas Forsyth Hunt, dean of the College of Agriculture, University of California, be printed as a Senate document.

THE POSTAL SERVICE (S. DOC. NO. 238).

Mr. FLETCHER, from the Committee on Printing, reported the following resolution (S. Res. 54), which was considered by unanimous consent and agreed to:

Resolved, That the manuscript submitted by the Senator from Florida (Mr. FLETCHER) on January 5, 1916, entitled "The Postal Service and Latin American Trade," an address by Hon. Daniel C. Roper, First Assistant Postmaster General, before the Southern Commercial Congress at Charleston, S. C., December 16, 1915, be printed as a Senate document.

METRIC SYSTEM IN EXPORT TRADE.

Mr. FLETCHER, from the Committee on Printing, reported the following resolution (S. Res. 55), which was considered by unanimous consent and agreed to:

Resolved, That the manuscript submitted by the Senator from Florida (Mr. FLETCHER) on January 6, 1916, entitled "Report on the use of the Metric System in Export Trade," by S. W. Stratton, Director of the Bureau of Standards, be printed as a Senate document, with illustrations.

COLLECTION OF GARBAGE.

Mr. FLETCHER, from the Committee on Printing, reported the following resolution (S. Res. 56), which was considered by unanimous consent and agreed to:

Resolved, That the communication transmitted by the Commissioners of the District of Columbia on December 10, 1915, relative to the collection and disposal of garbage and other waste in the District of Columbia, be referred to the Committee on the District of Columbia, without printing.

STEAMER "EASTLAND."

Mr. FLETCHER, from the Committee on Printing, reported the following resolution (S. Res. 57), which was considered by unanimous consent and agreed to:

Resolved, That the communication transmitted by the Secretary of Commerce on December 10, 1915, concerning the inquiry relative to the disaster of the steamer *Eastland*, be referred to the Committee on Commerce, without printing.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. LODGE:

A bill (S. 3252) for the allowance of certain claims for indemnity for spoiliations by the French prior to July 31, 1801, as reported by the Court of Claims; to the Committee on Claims.

By Mr. KENYON:

A bill (S. 3253) to prevent the nullification of State anti-gambling laws by international or interstate transmission of race-gambling bets or of racing odds.

The VICE PRESIDENT. To which committee shall the bill be referred?

Mr. KENYON. I think possibly it should go to the Committee on Post Offices and Post Roads, but I am perfectly satisfied to have it go to the Committee on the Judiciary or the Committee on Interstate Commerce.

The VICE PRESIDENT. The Chair will send it wherever the Senator suggests.

Mr. KENYON. Let it go to the Committee on Interstate Commerce.

The VICE PRESIDENT. The bill will be referred to the Committee on Interstate Commerce.

By Mr. WORKS:

A bill (S. 3254) to amend "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910; to the Committee on the District of Columbia.

By Mr. OVERMAN:

A bill (S. 3255) for the relief of B. H. Harrison; to the Committee on Claims.

A bill (S. 3256) to amend an act entitled "An act to prevent the disclosure of national-defense secrets," approved March 3, 1911; to the Committee on the Judiciary.

A bill (S. 3257) for the relief of Johnston-McCubbins Investment Co.; and

A bill (S. 3258) for the reduction of the rate of postage chargeable on first-class mail matter for local delivery; to the Committee on Post Offices and Post Roads.

By Mr. SMITH of Georgia:

A bill (S. 3259) to defray expenses of L. K. Meldrim in certain litigation; to the Committee on Post Offices and Post Roads.

By Mr. PITTMAN:

A bill (S. 3260) for the relief of Fred E. Jackson (with accompanying papers); to the Committee on Claims.

By Mr. SHEPPARD:

A bill (S. 3261) to establish an additional fish-cultural station in the State of Texas; to the Committee on Fisheries.

A bill (S. 3262) to provide for the appointment of an additional judge in the fifth judicial circuit of the United States; to the Committee on the Judiciary.

By Mr. STERLING:

A bill (S. 3263) to amend an act entitled "An act to provide for an enlarged homestead"; to the Committee on Public Lands.

By Mr. STONE:

A bill (S. 3264) to authorize the payment of an indemnity to the Norwegian Government for the detention of three subjects of Norway in Hudson County, N. J.; to the Committee on Foreign Relations.

A bill (S. 3265) for the extension, remodeling, and improvement of the public building at Jefferson City, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. WEEKS:

A bill (S. 3266) to refund to Mary Beecher Longyear duty collected on certain rugs or wall hangings; to the Committee on Finance.

A bill (S. 3267) placing Henry E. Rhoades, assistant engineer, United States Navy, on the retired list with advance of one grade; to the Committee on Naval Affairs.

A bill (S. 3268) for the relief of John Duggan; and

A bill (S. 3269) for the relief of Francis M. Atherton (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 3270) for the relief of the owners of the barkentine *Mabel I. Meyers* and her master and crew, and for the relief of the owners of cargo of molasses late on board said barkentine; and

A bill (S. 3271) for the relief of New England Coal & Coke Co., owner of the American barges *Emilie* and *Cassie*, and Bruusgaard, Klosterud Dampskibsselskab, owner of the Norwegian steamship *Hesperos*; to the Committee on Claims.

A bill (S. 3272) to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China; and

A bill (S. 3273) granting a pension to Helen G. Fairbanks (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS:

A bill (S. 3274) granting an increase of pension to Catherine C. Lay (with accompanying papers);

A bill (S. 3275) granting an increase of pension to Mary Jane Drew;

A bill (S. 3276) granting a pension to Phoebe W. Hooper; and

A bill (S. 3277) granting a pension to Laura Belle Ewing; to the Committee on Pensions.

By Mr. LANE:

A bill (S. 3278) for the relief of Willis B. Morse; to the Committee on Public Lands.

A bill (S. 3279) granting a pension to Hannah Josephson; and

A bill (S. 3280) granting a pension to Louis Southworth; to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 3281) granting a pension to J. W. Jewell; to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 3282) granting an increase of pension to George A. Blose (with accompanying papers); to the Committee on Pensions.

By Mr. McCUMBER:

A bill (S. 3283) to give a legal status to a dam constructed in the Red River of the North at Fargo, N. Dak.; to the Committee on Commerce.

By Mr. UNDERWOOD:

A bill (S. 3284) for the relief of the estate of John L. Murphy, deceased; and

A bill (S. 3285) for the relief of the estate of Willis D. Cad-dell, deceased; to the Committee on Claims.

A bill (S. 3286) granting a pension to Sarah B. Scott;

A bill (S. 3287) granting an increase of pension to James T. Steele;

A bill (S. 3288) granting a pension to Robert F. Seawell; and

A bill (S. 3289) granting a pension to Elias Brown; to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 3290) for the relief of the heirs of Paul Noyes; to the Committee on Claims.

By Mr. KERN:

A bill (S. 3291) granting a pension to Lew Wallis (with accompanying papers);

A bill (S. 3292) granting an increase of pension to Henry F. Vogt (with accompanying papers); and

A bill (S. 3293) granting an increase of pension to Joel A. Griffin (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN (for Mr. OWEN):

A bill (S. 3294) to appropriate a sum of money to pay Rhoda Menz, W. W. Christmas, and James M. Christmas, heirs of Myra Clarke Gaines, for certain lands in Louisiana; to the Committee on Claims.

By Mr. GALLINGER:

A bill (S. 3295) granting an increase of pension to George F. Edmunds (with accompanying papers); to the Committee on Pensions.

By Mr. CLARK of Wyoming (for Mr. WARREN):

A bill (S. 3296) to ratify, approve, and confirm an act duly enacted by the Legislature of the Territory of Hawaii amending the franchise held by the Honolulu Gas Co. (Ltd.), by extending it to include all of the island of Oahu, Territory of Hawaii; and

A bill (S. 3297) to ratify, approve, and confirm an act duly enacted by the Legislature of the Territory of Hawaii amending the franchise held by the Hawaiian Electric Co. (Ltd.), by extending it to include all of the island of Oahu, Territory of Hawaii; to the Committee on Pacific Islands and Porto Rico.

By Mr. JAMES:

A bill (S. 3298) granting a pension to Lillie Guffey (with accompanying papers);

A bill (S. 3299) granting a pension to Milton T. Callahan, jr. (with accompanying papers);

A bill (S. 3300) granting an increase of pension to Elizabeth Lander (with accompanying papers); and

A bill (S. 3301) granting a pension to Squire O. Baker (with accompanying papers); to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 3302) granting an increase of pension to Peter Soucrant (with accompanying papers); to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 3303) granting a pension to Lydia A. Heatherly (with accompanying paper); to the Committee on Pensions.

By Mr. KERN (by request):

A bill (S. 3304) concerning the exportation of alcohol and other distilled spirits (with accompanying paper); to the Committee on Finance.

By Mr. SHAFROTH:

A bill (S. 3305) granting an increase of pension to Olive L. Baldwin; to the Committee on Pensions.

SURVEY OF WASHOUGAL SLOUGH, WASH.

Mr. JONES submitted the following concurrent resolution (S. Con. Res. 6), which was read and referred to the Committee on Commerce:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to have a survey made and an estimate submitted as early as practicable of the cost of the improvement of Washougal Slough, Wash.

PAN AMERICAN DAY.

Mr. WILLIAMS submitted the following concurrent resolution (S. Con. Res. 7), which was read and referred to the Committee on Foreign Relations:

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States would view with pleasure negotiations upon the part of the President with Central and South American countries to agree upon a day to be celebrated throughout the three Americas as Pan American Day, for the purpose of memorializing past international harmony and as a practical expression of the hope for its continuance in perpetuity.

INTERFERENCE WITH THE MAILS.

Mr. HITCHCOCK submitted the following resolution (S. Res. 58), which was read and referred to the Committee on Post Offices and Post Roads:

Resolved, That the Postmaster General be, and he is hereby, directed to furnish the Senate with full information showing to what extent the mails between the United States and neutral countries have been interfered with, held up, retained, or opened by Government censors of belligerent countries, and also whether any such interference has included registered letters. Also to supply the Senate with copies of correspondence between the Post Office Department and the postal authorities of belligerent countries relating to this subject. Also to advise the Senate to what extent and in what particulars belligerent countries are at the present time disregarding and violating the provisions of the International Postal Union agreement.

IMPORTATION OF DYESTUFFS.

Mr. HITCHCOCK. I ask consent to have read a telegram from Thomas C. Byrne, one of the largest wholesale merchants of the West, and to have the same referred as a memorial to the Committee on Foreign Relations.

There being no objection, the telegram was read and referred to the Committee on Foreign Relations, as follows:

[Telegram.]

OMAHA, NEBR., January 5, 1916.

HON. GILBERT M. HITCHCOCK,
United States Senate, Washington, D. C.:

Dyestuff situation becomes more dangerous every day and if relief does not come both from embargo by Great Britain on shipments of logwood dyes, as well as interference with shipment of coal-tar dyes from Germany, I think inside of 90 days there will be upward of 1,000,000 operatives in textile industry and in the manufacture of garments thrown out of employment. This does not take into consideration damage to commercial interests or the inconvenience from which the general public is already suffering.

THOMAS C. BYRNE.

THE "LUSITANIA'S" MANIFEST.

Mr. JONES. I have a copy of the manifest of articles shipped on the *Lusitania*, which I ask may be printed in the RECORD.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

Manifest of articles shipped on steamship "*Lusitania*," Apr. 30, 1915.

LIVERPOOL.	
Sheet brass, 260,000 pounds	\$49,565
Copper, 111,762 pounds	20,955
Copper wire, 58,465 pounds	11,000
Cheese, 217,157 pounds	33,334
Beef, 342,165 pounds	30,995
Butter, 43,614 pounds	8,730
Lard, 40,003 pounds	4,000
Bacon, 185,040 pounds	18,502
Casings, 10 packages	150
Canned meat, 485 cases	1,373
Canned vegetables, 248 cases	744
Cutlery, 63 packages	10,492
Shoes, 10 packages	726
Tongues, 10 packages	224
Oysters, 205 barrels	1,025
Lubricating oil, 25 barrels	1,129
Hardware, 31 packages	742
Leather, 30 packages	10,870
Furs, 349 packages	119,220
Notions, 2 packages	974
Confectionery, 655 packages	2,823
Silverware, 8 packages	700
Precious stones, 32 packages	13,350
Jewelry, 2 packages	251
Belting, 2 packages	1,243
Automobile vehicles and parts, 5 packages	616
Electrical material, 8 packages	2,464
Machinery, 2 packages	1,386
Steel and manufactures, 8 packages	354
Copper manufactures, 138 packages	21,000
Aluminum manufactures, 144 packages	6,000
Brass manufactures, 95 packages	6,306
Iron manufactures, 33 packages	3,381
Old rubber, 7 packages	341
Military goods, 189 packages	66,221
Dry goods, 238 packages	19,086
India rubber goods, 1 package	131
Wire goods, 16 packages	771
Reclaimed rubber, 10 packages	347
Staves, 2,351 pieces	200
Brushes, 4 packages	342
Ammunition, 1,271 cases	47,024
Salt, 100 packages	125
Bronze powder, 50 cases	1,000
BRISTOL.	
Dental goods, 7 packages	2,319
Steel and manufactures, 4 packages	331
DUBLIN.	
Engines and material, 2 packages	140
GLASGOW.	
Notions, 1 package	479
KORE.	
Liquid glue, 2 packages	124
LONDON.	
Books, 9 packages	845
Drugs, 8 packages	458
Wool yarn, 1 package	105
Shoes, 1 case	274
Bronze powder, 16 cases	687
Motor cycles and parts, 8 packages	1,650
Paintings, 1 package	2,312
Furs, 1 package	750
Printed matter, 14 packages	147
Leather, 89 cases	31,517
Cartridges and ammunition, 4,200 cases	152,400
Films, 1 case	100
Machine patterns, 3 packages	1,500
Machinery, 6 packages	1,149
Electrical machinery, 1 package	1,616
Watch material, 2 packages	2,489
Electrical material, 4 packages	3,200
Automobile vehicles and parts, 4 packages	340
Optical goods, 1 package	1,313
Dental goods, 10 packages	3,962
MANCHESTER.	
Sewing machines and parts, 20 packages	360

CITIZENSHIP OF ENLISTED MEN OF THE NAVY.

Mr. TILLMAN. Mr. President, I send to the desk and ask to have read a communication from Admiral Victor Blue in regard to the personnel of the Navy, which explains itself; also a communication from Mr. H. B. Joyce, of Seattle, Wash., which I sent to Admiral Blue and asked him to give me the facts in regard to the matter.

I think publicity should be given to these things, because there is widespread uneasiness throughout our country now in regard to our Navy's condition. Admiral Blue's letter will serve the good purpose of showing that the men behind the guns are all right, and I believe the ships are all right as far as they go. As chairman of the Naval Committee of the Senate I speak advisedly, I believe, in saying this. Our ships are as good as any in the world and I believe our sailors are as good as there are on any battle fleet now afloat.

I ask that Mr. Joyce's letter be read first.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read,

The Secretary read as follows:

SEATTLE, WASH., December 11, 1915.

Hon. BENJ. F. TILLMAN,
United States Senate, Washington, D. C.

SIR: In view of the importance of the questions now before your honorable body, it seems that any information bearing on the subject would be valuable in arriving at a correct conclusion.

The inclosed matter, bearing on the condition of our maritime power, is offered as showing how well posted other nations are on conditions existing in this country.

An intimate acquaintance with maritime conditions on both the Pacific and Atlantic coasts, including Newfoundland and Canada, enables me to confirm the statements made in the inclosures herewith presented.

There is nothing more important in the whole question of national defense than the maritime situation in this country.

We must create a maritime population sufficient to supply trained citizen seamen and ships' officers to meet all requirements for naval and merchant-marine purposes.

To employ Asiatics or other cheaply paid alien mariners to the exclusion of citizens maritime classes will surely place this Nation in a position of naval helplessness similar to Russia in its war with Japan.

Wisely decided upon and liberally supported, a policy for national defense can be made perfect. We hope it will be done.

Respectfully, yours,

H. B. JOYCE,

1917 Ninth Avenue West, Seattle, Wash.

The London Financial News of July, 1903, contains the following: "The full strength of the American Navy just now is, on paper, 32,000 men, but only 20,000 are actually enlisted, of whom a very large majority are alien born. The American warships having already too large a percentage of foreign material among their crews, which are made up in great part of sailors from foreign steamers and deserters from foreign warships attracted by the higher wages the United States Navy pays. The problem of manning the Navy is one of serious import to the naval chiefs. The personnel of men in the ocean fisheries of the New England coast dropped from 18,077 men in 1880 to 8,345 in 1900, of whom, be it remembered, 90 per cent are not American born."

A wide and varied experience on both coasts of America proves to me that the writer of the foregoing was well informed or had exceptional experience in connection with the subject mentioned. During all the 20 years mentioned, and for many years before, the British Government has been paying to its Royal Naval Reserves of the highest class \$5 per month as service retaining fee, with extra wages for time spent in naval training at the training stations provided for the purpose.

In 1890, 137,000 men were enrolled in these Royal Naval Reserves of Great Britain, about 100,000 of whom were fishermen, the balance sailors, firemen, etc. This in 1890. All were enthusiastic in praise of the system. Their loyalty to the empire was unquestioned.

We quote further from the same article in the Financial News:

"Last year Canada had over 80,000 men engaged in her fishing industry, nearly all of whom are citizens."

"Newfoundland has some 60,000 men engaged in her fisheries, all of whom are citizens and seamen of the highest order. The fishing banks of Newfoundland are the best training ground for seamen in the world. Gloucester, Mass., it may be said, is the Grimsby of America, the seat of the American fishing industry in the North Atlantic, and the center from which the United States Navy expects to draw citizen recruits for its warships in the next maritime emergency; but, owing to the fact that nine-tenths of the men engaged in the fisheries are Newfoundlanders, Nova Scotians, Scandinavians, and other nationalities, the prospect of getting American citizens from this or any other source is regarded by competent authorities as very doubtful, the American warships having already too large a percentage of foreign material among their crews. Thus, while the tonnage of the American Navy has trebled in 20 years and the need for men has grown in proportion, the ocean fisheries have declined one-half, and Uncle Sam is decidedly worse off now than ever before as regards crewing his warships."

"Canada divides every year among her Atlantic coast fishermen the interest on \$5,500,000 obtained from the United States in 1877 under an award for settlement of the fishery question."

"This bounty is a great assistance to the Canadian fishermen. The idea of a naval reserve being formed among them has always appeared very strongly to the statesmen of both countries."

The Admiralty began the experiment with Newfoundland and, it having turned out so well, Canada is about to follow this example."

During the period between 1813 and 1863 the United States paid a bounty to its codfisheries of the New England coast, in amount about \$400,000, or the equivalent of \$8 per man for each man yearly. This bounty was of immense value in building up the fishing and freighting trade of that period, but no action was taken toward training the men properly for naval service, so the object of the appropriation was largely missed; still the appropriation was a benefit far beyond its cost to the Nation.

Before the repeal of the bounty act of the United States, England had begun paying her naval reserves more than four times as much, an equivalent in that country greater than eight times as much on account of the difference in wages.

Since we have allowed our citizen seamen classes to be driven from the sea by our failure to properly support them and their places have been taken by men of other nations, we can now speculate on the efficiency of a navy manned by citizens of other countries or we must build up a class of citizen mariners equal to the citizen mariners of other nations by furnishing sufficient attraction for them to enter maritime pursuits and enroll themselves in the reserve forces from which the Nation can draw its necessary skilled seamen if it ever needs them. It can be done, and the volunteer seaman, with short terms of training, can be made a better all-round seaman and a far better citizen than one who has been hopelessly confined for four to eight years on a ship, with only short periods of liberty on shore during the time.

Unless we take some measure to meet the issue we may find our Navy in a condition of naval ineffectiveness similar to that of Russia in the Russo-Japanese conflict. Mariners need as much training to reach perfection in their industry as the machinist or the watchmaker.

NAVY DEPARTMENT,
BUREAU OF NAVIGATION,
Washington, D. C., January 4, 1916.

MY DEAR SENATOR: Your letter of the 24th ultimo, inclosing a letter from Mr. H. B. Joyce, of Seattle, together with a memorandum in regard to foreigners in our Navy and in our merchant marine, is received.

There is forwarded under separate cover my annual report. You will note, on page 31, tables giving all the statistics regarding citizenship of our enlisted men.

Ninety-five and forty-seven one-hundredths per cent of the total force are citizens of the United States. The remainder include mostly Filipinos and others of our insular possessions who are not eligible for citizenship in the United States, and a few Japanese and Chinese who entered the service years ago in the messman branch and who, under the law, are entitled to reenlistment.

The Navy has been Americanized by getting young men from the farms and from occupations not connected with the sea.

It is only too true that our merchant marine is filled up with foreigners, and had we depended on recruiting our men from the merchant marine we, too, would have foreign languages spoken on men-of-war, which is happily not the case.

I am sincerely glad that you are interested in Americanizing our merchant marine, for after all it is part of the national defense.

I am at present engaged in preparing recommendations which it is hoped will accomplish the purpose suggested in your letter. These will be placed before the Secretary in a few days, and if approved I will take up the matter with you and will be only too glad to furnish facts and figures.

The inclosed correspondence is herewith returned.

With best wishes of the season to you and yours, I am,

Very sincerely,

VICTOR BLUE.

Hon. B. R. TILLMAN,
United States Senate, Washington, D. C.

PERMANENT TARIFF COMMISSION.

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the National Monthly for January, a magazine edited by Hon. Norman E. Mack, former chairman of the Democratic national committee. It is on the subject of a permanent tariff commission.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

EMINENT DEMOCRATS FOR TARIFF COMMISSION.

[Editorial from National Monthly for January.]

Senator GORE's recent speech in New York, delivered before a thousand representative business men of the metropolis, is a notably strong contribution to the steadily growing volume of Democratic opinion in favor of a nonpartisan tariff commission. Among other leading Democrats who do not hesitate to express themselves in behalf of taking the tariff out of politics by a nonpolitical tariff commission, a prominent place belongs to former Gov. Cox, of Ohio.

A train of thought suggested by Senator GORE's address, and interviews and statements of Gov. Cox, is that one of the chief disadvantages of political systems of tariff making is the uncertainty to which they subject the business man, and with him the wage earner, the farmer, the public at large, whether considered in its aspects as buyer or seller, as producer or consumer.

A tariff into which partisan considerations enter in the process of establishing its schedules, may be good, may be bad, but whether good or bad, it suffers from the handicap that the community can never be sure what changes may be impending. That, under a political tariff, is so related to the flux and reflux of party success or defeat that business must inevitably seek to guide itself by guesses as to which party will be in power. This creates doubt, tension, anxiety, timidity, all of which are disastrous to business, and when business is on tenterhooks, that spells a general condition of apprehensiveness in the country.

One of the great arguments for the new currency law, and of paramount rank in the successes it has achieved, is the stability it has imparted to the national finances.

In banking, in circulation, the country knows just what it has to expect. This is a master preventive of depression and panic.

Precisely analogous to this function of the currency law, with its Federal reserve system as a remover of uncertainty, would be the uses of a nonpartisan tariff commission, established for adjustment of tariff questions, on wholly economic and scientific lines.

Such a commission would impart stability to the tariff subject and to action consequent on it. Therewith the nonpolitical tariff commission would in the inevitable order of things, stand as a barrier against depression and panic. By taking the tariff out of politics we should have, once and always, emancipation of business from reflecting the oscillations of politics.

NORWEGIAN SHIP "INGRID" (S. DOC. NO. 237).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate and House of Representatives:

At the request of the Norwegian minister at this Capital and in view of the recommendation of the Secretary of State, I transmit the latter's report and the accompanying documents relating to the claim made by the Norwegian Government in behalf of three members of the crew of the Norwegian ship *Ingrid*, and I recommend that, as an act of grace and without reference to the question of the liability of the United States, an appropriation be made to effect a settlement of this claim in accordance with the recommendation of the Secretary of State.

WOODROW WILSON.

THE WHITE HOUSE,
Washington, January 7, 1916.

CARLOS HEVIA Y REYES CAVILÁN (S. DOC. NO. 235).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was

read, and, with the accompanying paper, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate and House of Representatives:

I transmit a report from the Secretary of State, inclosing a draft of a joint resolution authorizing the Secretary of the Navy to permit Mr. Carlos Hevia y Reyes Cavilán, a citizen of Cuba, to receive instruction at the United States Naval Academy at Annapolis, at the expense of the Government of Cuba.

The Secretary of State points out that the passage of the resolution would be regarded as an act of courtesy by the Government of Cuba and that it would follow established precedents.

WOODROW WILSON.

THE WHITE HOUSE,

Washington, January 7, 1916.

RENÉ W. PINTÓ Y WENTWORTH (S. DOC. NO. 236).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate and House of Representatives:

I transmit a report from the Secretary of State, inclosing a draft of a joint resolution authorizing the Secretary of War to permit Mr. René W. Pintó y Wentworth, a citizen of Cuba, to receive instruction at the United States Military Academy at West Point, at the expense of the Government of Cuba.

The Secretary of State points out that the passage of the resolution would be regarded as an act of courtesy by the Government of Cuba and that it would follow established precedents.

WOODROW WILSON.

THE WHITE HOUSE,

Washington, January 7, 1916.

HOUSE BILL REFERRED.

H. R. 562. An act to amend the act approved June 25, 1910, authorizing a Postal Savings System was read twice by its title and referred to the Committee on Post Offices and Post Roads.

FREIGHT EMBARGO IN NEW YORK CITY.

Mr. WALSH. Mr. President, I ask unanimous consent that the resolution offered by me on day before yesterday may be laid before the Senate for consideration.

The VICE PRESIDENT. The Chair lays before the Senate the resolution of the Senator from Montana, which will be read. The Secretary read the resolution (S. Res. 43), as follows:

Whereas it is a notorious fact that for weeks there has been a serious congestion of freight in the terminals and yards of all of the trunk-line railways entering the port of New York City; and
Whereas thousands of loaded freight cars have been standing in said yards and terminals and on sidings of said trunk-line railroads with great damage and injury to business men and shippers of the country, as well as to the railroads themselves; and
Whereas all or some of the leading trunk-line railroads have declared embargoes upon further shipments of freight into the port of New York; and
Whereas similar conditions are reported as to other ports, and the situation has become so serious as gravely to menace not only our foreign trade but the domestic trade of the country, manufacturing industries having difficulty in receiving supplies of needed raw materials on the one hand, and being unable to make prompt shipments of their finished product on the other; and
Whereas shippers throughout the country are suffering delays, inconvenience, and actual losses because of these conditions; and
Whereas it is asserted that the principal reason for such freight congestion and for such railroad embargoes is the lack of ships to carry on the foreign commerce of the United States; and
Whereas the ocean freight rates, even on such ships as are available, have increased since the outbreak of the European war from normal to as high as 1,500 per cent, thus imposing a serious handicap on the commerce of the United States, such ocean freight rates being so high as to preclude foreign commerce in certain articles of American production; and
Whereas American commerce is to-day dependent almost wholly upon ships of foreign registry; and
Whereas such ships are more or less under the control of their respective Governments, which, in turn, are quite naturally employing them primarily for the benefit of their interests, regardless of the rights and interests of American commerce; and
Whereas the situation has become so grave that it is imperative that all of the facts shall be developed in order that the problem may be fully understood and dealt with: Therefore be it

Resolved, That a special committee of five Members of the Senate be appointed by the President of the Senate, with authority to investigate and report upon the existing freight blockade and embargoes on the trunk-line railroads entering the port of New York City and other ports where like conditions may be disclosed; the reasons for such blockade and embargoes; the effect of the same upon the foreign and domestic commerce of the United States; the extent to which the same is occasioned by a lack of ocean transportation facilities at and from such ports; the reasons for such insufficient shipping or ocean transportation facilities; the ocean freight rates now being charged as compared with the rates existing at the time of the outbreak of the European war in 1914; the extent to which discriminations are being practiced by shipowners and carriers as between American products and commodities, and the reasons therefor, and, generally, to investigate

the shipping conditions as related to any and all of the ports of the United States and as between said ports and foreign countries. Said special committee is hereby given full power and authority to summon witnesses, to compel the production of books and papers, to employ counsel, and to take any and all steps that may be necessary to carry out and effectuate the purposes and objects of this resolution.

Said special committee, or any subcommittee thereof, is further authorized to employ a stenographer, at a price not to exceed \$1 per printed page, to report such hearings as may be had in connection with the subject pending before the said committee; that the committee may sit during the sessions or recesses of the Senate; and the expenses thereof shall be paid out of the contingent fund of the Senate.

Mr. BRANDEGEE. Mr. President—

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Connecticut?

Mr. WALSH. I yield.

Mr. BRANDEGEE. When the resolution of the Senator was read the day he submitted it, I was inclined to ask him, and I ask him now, why should not the investigation contemplated by the resolution be made by the Interstate Commerce Commission instead of, as is proposed, by a special committee of the Senate?

Mr. WALSH. It was my intention to consider that question, but I am pleased now to say that there are, to my mind, some good reasons why an investigation by the Interstate Commerce Commission would not be sufficiently comprehensive in its scope. I may say to the Senator from Connecticut that the Interstate Commerce Commission is now conducting an investigation into certain aspects of the conditions to which the resolution makes reference.

Mr. President, I do not desire to say much touching the matters to which the resolution refers, except to call the attention of Senators in a rather specific way to the conditions that prevail. In a general way, they are known through newspaper reports to the country and to the Senate. Unfortunately, they seem to have taken on a character more or less permanent. Away back last spring, under date of March 9, the Washington Post had an editorial as follows:

A DEPLORABLE SITUATION FOR OUR EXPORT TRADE.

[The Washington Post, Tuesday, Mar. 9, 1915.]

Our docks and railway terminals at our Atlantic and Gulf ports are blocked with freights ready for export.

Three thousand cars of wheat at Jersey City terminals alone are awaiting cargo space upon the ocean.

Millions of dollars' worth of our agricultural products, millions of dollars' worth of outputs of our shops and factories, millions of dollars' worth of the products of our mills, our furnaces, and our mines, blocked, embargoed, for lack of ocean vessels.

What an object lesson to the business men of the United States!

What an object lesson to the farmers, to the merchants, to the manufacturers, to the workmen, to the entire population of this supposedly free and independent nation!

What a rebuke to the Republican and the Democratic Parties, which have promised the country its own merchant marine for the past 40 years, and both of them failed to provide it.

We are told that no mail may go to Europe for the next seven days. We are told that no steamships will be available for a week to transport our shipments destined for western Europe.

We are waiting for vessels owned by our commercial competitors to move our commodities to foreign markets.

What a deplorable situation for the most powerful Republic of the globe.

And our legislators listen to the siren song of foreign shipping combines, and foreign financial interests, and the domestic representatives of these, and keep tight the shackles upon the growth and development of the foreign trade of the United States.

It is time that our people change all this.

It is time the business of this country be made independent of its foreign competitors for the markets of the world.

Canada has just established the service of a line of 18 steamships from Halifax to France.

New York, the shipping metropolis of the world, waits for British, French, and other foreign vessels to relieve it from freight congestion.

It is time for the people of the United States to demand that Congress legislate for them, and not for the financial, commercial, industrial, and shipping combines of Europe.

This question of an American merchant marine is a national question to be solved by and for the people of the United States.

It is not a question for foreign nations, for the domestic agents of foreign nations, for the representatives of foreign interests to advise in or to interfere with.

The United States needs its own merchant marine; it needs it now; it will need it every week, every month, every year of the future time, and no political party nor any political leader that opposes such marine can be regarded as pro-American in such action or such views.

I have good reason to believe that the conditions as outlined in this editorial even at the time that it was written were scarcely such as to justify in full the comment that was made, and whatever they were, they were thereafter and during the course of the summer much alleviated; but they have recurred in an exaggerated and more intensive form, while the situation does not seem to be relieved as readily as it was in the spring.

I send to the desk, and ask to have read, a dispatch appearing in the Post, under date of November 26, from New York, outlining the conditions as they prevailed some six weeks or two months ago.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

**NEW YORK IN PERIL OF A BIG FOOD SHORTAGE AS RESULT OF WAR—
AVALANCHE OF FREIGHT FOR EXPORT CAUSES SERIOUS LACK OF
PROVISIONS—FIFTY THOUSAND CARS CHOKE YARDS—FIVE TIMES
MORE SHIPS ARE NEEDED TO RELIEVE CONGESTION AT PIERS.**

NEW YORK, November 26.

The land and water transportation routes leading into New York are facing the greatest freight congestion known in their history.

The situation is so serious that if New York should be visited with even so brief a blizzard as the one of the late winter of 1914 the city would come nearer to a food famine than it ever has before.

An avalanche of freight for export is pouring into New York's terminals and piers. Consequently, the supply of staple foodstuffs for local customers is at a low point.

The chief cause of this condition of affairs is the enormous growth of the export trade of the United States, on which has been piled up a growing domestic business that gives promise of outdoing all records.

When the United States undertook to furnish food, clothing, and military supplies to the governments of Europe at the outbreak of the war this country became something like a huge irrigating system, with New York as the dam and its docks as the sluiceways through which the waters of our commerce could be distributed into the subsidiary channels of ocean-going ships.

ALL SECTIONS SEND GOODS.

From New England mills, from Pennsylvania factories, from plants in the Middle West and South, manufactured goods began to flow as brooks, streams, and rivers of freight into the eastbound railway systems of the country. On top of this came the natural products of the country—wheat and citrus fruits from the West, lumber, and a thousand and one things—to feed and shelter Europe's war-busy peoples.

The port of New York had to serve as the great dam behind which all these products were to be impounded before being turned into the subsidiary channels. The docks were the sluices through which this enormous mass of export material must be passed down into the holds of waiting ships. So many ships came to carry goods away there was no room for them, the freight began to pile up on wharves and terminals, and freight cars began to lengthen their lines on sidings until the present climax came.

NEEDS FOR SHIPS.

At the present time there is five times as much freight ready for export in the port of New York as the waiting ships can take. In and around the city there are 50,000 freight cars standing, which is twice as many as the amount of freight-car shortage reported for the rest of the country.

Wherever one goes around the waterfront of Manhattan, Brooklyn, Jersey City, Hoboken, and Staten Island there is the same picture, repeated over and over again, of a lot of pygmies toiling away at removing mountains of freight on which they seem to make no impression whatever. And conditions are so bad that traffic managers are asking for all kinds of extensions of time for delivering local freight.

GERMAN DOCKS ARE IDLE.

A broken journey northward through the freight terminals make this panorama of freight congestion even more impressive. Passing backward and forward across the ferries, the enormous amount of traffic going on in the North River was noticeable, the only blank spot in all this maritime activity being along the Hamburg-American and North German Lloyd's piers, where interned ships are lying idle.

West Street, up to Fourteenth Street, in Manhattan, is a vast jumble of freight, trucks, exasperated drivers, and traffic policemen, trying to keep something like order in the welter of vehicular movement.

The upper West Side of Manhattan's river front has two evidences of crowded condition of the harbor, for north of the Fort Lee Ferry there are two Hamburg-American liners tied up at a pier there for the first time in history, the company having moved them from its South Brooklyn docks to rent the space to a line of neutral ships that can carry cargo to Europe which the German-owned boats can not.

Down along the East River waterfront the mass of freight and trucks seems quite as bad as along West Street, while the confusion of river craft is much worse.

Owing to the fact that there are more ocean-going ships berthed along the Brooklyn waterfront than ever before, there is an extraordinary number of lighters and car floats in and around those docks.

Over on the Manhattan side of the East River there was a swarm of river craft in front of the Ward Line piers that looked as if some terrific storm had thrown the tugs, barges, and lighters there in inextricable confusion.

All sorts of expedients have been suggested by freight-traffic managers to relieve this situation, including embargoes on eastbound goods from the Far and Middle West, and the fixing of charges for cars held in New York terminals longer than 15 days.

OCEAN CARRIERS REQUIRED.

But no one knows whether the last-named expedient will help the situation much, while the mention of the word embargo in connection with freight movements raises objections by shippers and railways.

Only one cure for the situation seems possible, and that is the coming into the port of New York at once of five times as many empty ships as are here now. And with present conditions in the ocean-carrying trade that possible cure is impossible.

So long as the present enormous export and domestic business exists, just so long will the freight congestion around New York continue to remain the worst it has ever known.

Mr. WALSH. The threatened embargoes anticipated by the article have been laid by practically every line entering the city of New York. The article just read advises us that about November 26 as many as 50,000 cars were standing on the side-tracks in the yards about that great port and that no impression was being made upon the congested condition. The New York World of December 25 asserts that on that date the number had increased until it had reached the enormous total of 150,000 cars. Can we appreciate, can we comprehend, what that means? It signifies the equivalent of a train of cars reaching from the

city of New York to Chicago. So many and more are congregated in the terminals and yards about New York awaiting disposition.

The conditions are detailed in a dispatch from New York to the Chicago Tribune under date of December 17, which reads as follows:

Practically every railroad connecting Chicago with the Atlantic seaboard yesterday placed an embargo on all shipments for export purposes. Only perishable goods, such as fresh meat and other foodstuffs, are exempt.

Lack of ocean-going vessels and an unparalleled congested condition of the freight yards and docks at the principal seaports in the East are given as the reason.

Loaded freight cars by the thousands are standing on every available siding for miles outside of New York. Warehouses and elevators at the eastern ports are choked up with grain, and freight houses are packed to the roofs with shipments of all kinds.

The embargo is placed principally against grain, 4,000 cars of which are said to be awaiting shipment at eastern ports.

THESE LINES ARE AFFECTED.

The railroads which have issued embargoes out of Chicago are: New York Central, Wabash, Pennsylvania, Erie, Lehigh Valley, Norfolk & Western, Baltimore & Ohio, Lackawanna.

OCEAN EQUIPMENT SHORT.

"The fault does not lie with the railroads," explained J. S. Browne, head of the traffic department of the board of trade, "but with insufficient ocean shipping facilities. The warehouses and elevators at Philadelphia, New York, Baltimore, Buffalo, and Newport News are overloaded. The eastern terminals are so choked it will be impossible for the railroads to handle any more shipments from the Central West until things are cleared up. The embargo not only applies to grain, but has been extended to steel, flour, and other exports by some of the roads as well."

And of similar import is a dispatch sent to the Louisville Courier-Journal, under date of December 21, as follows:

The committee representing all trunk-line railroads leading into New York announced to-day that the freight embargoes declared by the many roads have failed to ameliorate the traffic congestion, there being approximately 50,000 cars destined for New York on lines or at terminals.

Acting on this, the Pennsylvania, New York Central, and Lehigh Valley to-day declared additional stringent embargoes on freight consigned to New York for export or coastwise shipment.

The Pennsylvania extended its recent embargo on virtually all freight for export, coastwise or domestic deliveries, except dressed meats, other perishable freight and food products to include shipments originating on the Pennsylvania, Philadelphia, Baltimore & Washington, and West Jersey & Seashore Railroads.

The New York Central declared an embargo on all carload freight except live stock, grain, fresh meat, provisions, and munitions.

The Lehigh Valley declared an embargo on all eastbound freight from connecting lines excepting flour and grain products, live stock, dressed meats, perishable freight, coal, coke, fuel, oil, and provisions.

That the evil and the loss extend to all parts of the country and is not confined to any particular section is disclosed by the substance of a later telegram from Baltimore to the New York World, under date of January 3, as follows:

The Western Maryland Railroad to-day issued an order, effective at the close of business to-morrow, placing an embargo until further notice on all shipments of grain to this port for export. There are nearly 2,000,000 bushels of grain in storage here awaiting ships.

Mr. President, while it is perfectly obvious that the principal factor in this remarkable congestion is the want of necessary ships for carrying the export trade, the conditions can not be assigned altogether to that cause. Indeed, they are to a very large extent somewhat obscure. I have a communication from a leading railroad man conversant with the situation who has this to say concerning the conditions and the causes—

Mr. SHEPPARD. Mr. President—

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Texas?

Mr. WALSH. I do.

Mr. SHEPPARD. I simply rose to say that there is general complaint among the farmers of my section as to the lack of shipping facilities for cotton. A large farmers' organization, the Farmers' Union, is sending a delegation here now to see if something can not be done to relieve the situation.

Mr. WALSH. The letter contains the following. It is under date of January 4:

We see no immediate change in the condition, as the surplus has not yet been absorbed, and the exporting is about the same rate per day as formerly, and it requires several days, or even weeks, for an embargo to afford material relief owing to the long distances to the originating points of the freight. It is difficult to give an analysis of the causes to determine to what extent the embargo is occasioned by lack of ships. That appears, of course, to be one of the primary causes. There appear to be, however, many other causes beyond our knowledge. You appreciate, of course, that many of the ships belong to the belligerent nations, and they are sent to the various ports to obtain certain commodities for their particular needs, and there appears to be considerable delay in doing this. Instead of taking on a general cargo and departing, the ocean shipping is for the foreign interests, and it is beyond our power to expedite it.

An inquiry into certain features of the problem is now being conducted by the Interstate Commerce Commission. A preliminary report has been received by the commission, containing

a paragraph advancing views that are interesting and important to have in mind at this time. It is as follows:

The present congestion is the result of a combination of circumstances. It began with the freight handlers' strike of last September. The closing of the Panama Canal has been a contributing cause. But the most important cause is the unprecedented volume of export traffic, a large part of which has been consigned to New York without space having been previously engaged on the steamers. War munitions are being sold cash f. o. b. bill of lading, by which is meant that the shippers receive cash for the goods as soon as they obtain the bill of lading from the railroad. This, of course, tends to encourage shippers to unload the freight upon the railroads, which in turn causes congestion. There is also an unusual amount of freight consigned to foreign ports to which there are no regular sailings, most of this commerce having been heretofore handled by England, Germany, and France. Much of the trouble is due to the lack of lighterage facilities in New York Harbor, and it is quite generally believed that the lighterage facilities were inadequate even in normal times. While a great many steamers have been overbooked and are consequently unable to take all the freight for which they contracted, there are many cases where steamers with ample space have been delayed because no lighters could be secured to deliver the freight to them. In New York the railroads as a rule furnish the lighters and are required to deliver the freight at shipments. They can not deliver to steamers, however, until permits or orders are issued. It has even happened that after permits have been issued by the steamers they have declined to take the freight tendered, because of later instructions received from certain foreign Governments to take only war munitions. It is rumored that some of these orders are based upon cable advices received through J. P. Morgan & Co.

The situation seems to be particularly burdensome in New England—so much so that the President of the New York, New Haven & Hartford Railroad Co. recently addressed to the Interstate Commerce Commission a communication which is substantially a confession of total inability to deal with the situation. It is so important in many aspects that I am sending it to the desk, and ask that it may be read for the information of the Senate.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

THE NEW YORK, NEW HAVEN & HARTFORD RAILROAD CO.,
EXECUTIVE DEPARTMENT,
South Station, Boston, December 28, 1915.

TO THE INTERSTATE COMMERCE COMMISSION: PUBLIC UTILITIES COMMISSION OF CONNECTICUT; PUBLIC SERVICE COMMISSION OF MASSACHUSETTS; PUBLIC SERVICE COMMISSION, FIRST DISTRICT, OF NEW YORK; PUBLIC SERVICE COMMISSION, SECOND DISTRICT, OF NEW YORK; PUBLIC UTILITIES COMMISSION OF RHODE ISLAND:

I desire to submit to you on behalf of the New Haven Co. and its allied lines a statement about present conditions due to congestion of business on its own lines, congestion in and around New York Harbor, and on many of its connecting lines, conditions which have been made much worse by the great storm of December 13-14, which seriously reduced the ability of the railroads to give a maximum amount of service with the facilities at hand, and by the storm of December 26, which did much damage and destroyed and retarded the work of restoring wire communication by telegraph and telephone, and of clearing the road of delayed freight. Prior to the great storm of December 13-14 the New Haven road, with facilities that in many places are wholly inadequate, had been doing the largest volume of business in its history, and has been performing a task in handling that business which is taxing its physical facilities. The volume of business may be evidenced by the following figures showing the number of cars of freight loaded locally on New Haven rails and the number of loaded cars received from connections for the first eight days of a number of months in 1915 as compared with the same eight days in the same months in 1914 and 1913:

	1915	1914	1913
August.....	40,824	40,932	42,829
September.....	42,484	39,626	39,487
October.....	47,361	43,360	44,673
November.....	47,766	39,176	45,621
December.....	50,677	37,748	44,196

The New Haven road has on its rails to-day nearly 46,000 freight cars, which is about 8,000 cars more than it had a year ago and 12,000 more than in December, 1913. The result is that its tracks, terminals, and other facilities are congested at many places. There are more than 12,000 loaded cars awaiting the discharge of their freight, but the owners of the freight are having some of the same difficulty that the New Haven is having, because their own facilities are inadequate in places and cars are not released promptly. To-day, on account of storms and congestion, connecting lines have more than 8,000 loads for delivery, mostly at New York and via the Poughkeepsie Bridge, as soon as this company can handle them.

It is interesting to note that the New Haven, with 4,535 miles of tracks, including main-line running tracks, side tracks, and yards, had during the first eight days of December 50,677 new loads, while the Chicago, Burlington & Quincy system, extending through 10 States, with 12,869 miles of trackage, during the same week had 48,230 cars. These figures indicate how large the New England freight business is. In addition, the passenger train service is much heavier than on a railroad like the Chicago, Burlington & Quincy, and makes the problem of furnishing transportation in sufficient quantity and of satisfactory quality under the present unusual and congested conditions that much more difficult.

For reasons that need not be outlined in this letter the New Haven has not been able to add materially to its facilities during the last few years, particularly during the last two, when the company has been going through a period of depression, investigation, readjustment, and reconstruction of its financial and corporate status. Improvements

have been authorized, not including equipment, which are being made as rapidly as men, material, and weather will permit, that will cost nearly \$5,000,000. In addition to this, very large sums should be spent, if money can be obtained, for additions to tracks, bridges, terminals, engine facilities, and motive power, both steam and electric.

In spite of financial troubles the freight equipment of the company is in much better shape than it was a year ago. A year ago there were 4,800 freight cars in bad order, and now there are less than 1,600, a marked improvement, and a number not far from the minimum that may be expected with 46,000 cars on the road. The company has placed orders for 33 powerful freight locomotives, to be delivered in January and February, and 500 coal cars, which are promised in March, costing about \$1,500,000.

The company has tried to relieve its rail lines just so far as it could by diverting businesses to its boat lines, but here again it has not been able to add to its facilities because of the uncertainty surrounding the future of the boat lines. The company considered very seriously placing an order nearly a year ago for two additional freight steamers to run on Long Island Sound, but it did not feel that it had the right to borrow the large sum of money necessary, considering the fact that within a comparatively short time the company might be ordered, under the Panama Canal act, to dispose of all its water lines. The relief, therefore, given by the boats is not as great as the company would like.

There comes a time when the volume of business that is being done by a man, a steel mill, a hotel, and a railroad is more than the physical ability of the man or the enterprise to carry on successfully, and in such cases the part of prudence is to state the case frankly to customers and patrons and to explain why there is delay in furnishing goods, accommodation, or service. It looks to-day as if for the time being the New Haven road can do no more than it is doing, and that it may have to withdraw temporarily from some kinds of business.

The management of the New Haven earnestly hopes that the result of the efforts now being made on its own road and on its connecting lines will permit the present large volume of business to continue and that it will be necessary to put out so-called "embargoes" and curtail service for only limited periods of time, but it feels that it should state to you the situation that is confronting it at the present time, a condition brought about by causes that are beyond its control. The management will be glad to receive any suggestions from you, who represent both the public and the railroads, as to steps that can be taken.

Respectfully submitted.

HOWARD ELLIOTT,
Chairman and President.

Mr. WALSH. Mr. President, the business loss the country has already suffered by reason of this deplorable condition can be very readily imagined to have run into the millions. The testimony submitted speaks so eloquently it is quite unnecessary. I am sure, to say anything to move the Senate to take some action in the premises. Obviously, full information is the first requisite of any attempt, by legislation or otherwise, to relieve the situation. It is, I dare say, simply a question as to the channel through which this information ought to be sought. While many of the causes apparently fall within the scope of investigations that may be very properly carried on by the Interstate Commerce Commission, it seems to be conceded upon all hands that the primary cause is the want of ships. That cause seems to be continually acquiring force and strength. Into that field, I take it, the ordinary powers of the Interstate Commerce Commission will not permit it to go.

I likewise feel, Mr. President, that the condition requires immediate action, and therefore it was my opinion that it could be more effectually and more speedily secured through a special committee charged with this duty and that would have no further duties to divert its attention from the subject.

Mr. FLETCHER. Mr. President, I think unquestionably this situation is a very serious one not only with regard to commerce in New York and Boston and Philadelphia and other ports in that region, but it is important to the whole country. It really assumes the dignity of international importance.

The Senator from Montana [Mr. WALSH] has furnished sufficient evidence, I think, to show what the situation really is, but perhaps it would not be out of place to add just a few facts in connection with what he has said by way of verifying statements which have been made in the newspapers, and also furnishing additional corroborative statements by those who have investigated the subject.

I find that on November 30 last the collector of the port of New York, in reporting to the Secretary of the Treasury, after mentioning the number of cars on the sidetracks there, says:

The cars above referred to may be said to contain general merchandise, chiefly of American production, steel products and war munitions predominating. This large number of cars constitutes a practically unprecedented congestion which may be ascribed to different causes, but the great predominating cause is the lack of vessels to carry the freight. This lack is caused by the withdrawal of vessels ordinarily engaged in commerce; the complete withdrawal of the German and Austrian commercial fleets; and in a smaller degree the destruction of commercial vessels by mines and submarines. An expert shipping authority at this port has estimated the losses from the above causes as at least 60 per cent of the commercial tonnage of the world.

The collector further stated at that time that—

It should be realized that the actual conditions of to-day would be duplicated to-morrow or the next day, since there are held outside of the immediate district of New York thousands of cars awaiting opportunity for entry here. Under the circumstances it is my opinion that the present export tonnage facilities do not meet more than 25 per cent of the present demand. Experts state that the congestion at this port will increase in the near future, and that ocean freight rates will be higher than ever before.

I will add that the collector of the port at Boston also, as late as December 15, 1915, submitted a report on conditions there, and among other things he says:

That exporters and the secretaries of commercial organizations interested in foreign trade are practically unanimous in declaring that the opportunities for American merchants to engage in overseas commerce were never brighter than at present, and the local Bureau of Foreign and Domestic Commerce reports that it is estimated that at least 100 firms previously not interested in foreign markets for their products have gone into this branch in earnest, and that about 10 commission houses have been established during 1915 for exporting New England made goods.

Exporters complain of the exceedingly high freight rates quoted by steamship agents, the percentage of increase from July 1, 1913, to December 1, 1915, being on provisions, 309 per cent; on cotton, 400 per cent; on flour, 400 per cent; and on grain, 1,166 per cent.

Six of the seven steamship agents admit that there is a shortage of ocean steamer tonnage at this port.

Of course that undoubtedly has a great deal to do with the situation, but it goes back further to two fundamental fallacies which, unfortunately, found lodgment in the minds of the people of this country and which, unfortunately, had a certain basis of truth. One was that our people could better employ their capital in something else than in shipping, and that it was cheaper and more economical to let the foreigner furnish the ships to carry on our foreign trade. The other was that the consignee paid the freight; that it made no difference about the rate, because the party who received the goods and bought the goods and had them delivered to him always paid the freight. These, I say, are two original fallacies to which we may trace, in a large measure, the present situation.

Referring to this subject in a recent article in the Scientific American, Mr. Herbert T. Wade, after discussing the conditions in the ports which I have just mentioned, says, among other things:

With their New York freight yards and sidings filled with cars they could not dispose of, the railways adopted the heroic measure of declaring embargoes or refusing to accept freight. Thus the Lackawanna applied its embargo to all shipments free on board at New York for reshipment abroad, because on its line between Scranton and New York, when the order was issued, there were not less than 6,000 cars loaded with export freight, as compared with less than 2,000 cars which would have been between these points under normal conditions. Later in the month it was announced that embargoes had been declared on flour and timber for export under through bills of lading by the New York Central, the Erie, the Central Railroad of New Jersey, the Lackawanna, the Lehigh Valley, and the Pennsylvania.

The congestion was not confined to New York. The Pennsylvania also found it necessary to place embargoes at the ports of Philadelphia and Baltimore on export grain. In addition to the 1,000,000 bushels of grain in the new and spacious Girard Point elevator at Philadelphia on the evening of November 28, there were 1,778 cars, 2,600,000 bushels of export grain, on hand to go through the elevator. Of these cars 453 were standing in the Girard Point district, and the others were held at points west of Philadelphia. At this time there were six ships at the port of Philadelphia loading grain, six waiting to load, and four others were expected. Likewise in the Baltimore elevator of the same railroad there were 2,000,000 bushels of grain in storage, and 2,629 cars with 4,240,000 bushels of export grain on hand, destined to go through that elevator. Of this number 940 were at Baltimore, while the remainder were held at various points on the Baltimore and other divisions.

On December 15 the railways declared further embargoes chiefly affecting export shipment, but dealing also with freight requiring lighterage in New York Harbor.

This is an article on that subject in the Scientific American of December 25, 1915; and the author, Mr. Herbert T. Wade, further says, in which it seems to me we ought to agree, that it is a matter not merely of local interest but of Nation-wide interest. In discussing the subject further, he says:

During the months of November and December there has been experienced on the eastern seaboard and especially at the port of New York and on the railways entering the various terminals about the harbor a serious condition of freight congestion to an extent never before realized. At the middle of December it was reported that some 45,000 cars, over twice the amount of the car shortage for the entire United States, were tied up in the vicinity of New York City, and that there was ready for export at New York Harbor five times as much freight as available vessels could take. Grain elevators were filled to capacity, piers and docks were piled high with merchandise, and thousands of cars were used as warehouses at a time when there was a general shortage of cars throughout the United States.

This congestion of freight cars laden with commodities designed both for foreign shipment and for home consumption in the freight terminals in and about New York City, as well as along the rail approaches to the metropolis, involves a situation full of broad significance and possesses far more than local interest.

In addition, there is a national question of no small commercial importance, for this congestion of freight prevents not only the movement of material from interior points to seaboard but, by producing a shortage of cars and curtailing distribution, it tends to cripple the normal commerce of the country, which, after a period of depression, is now increasing to a most satisfactory degree. Any shortage of freight cars at this time is a matter of widespread and serious national interest.

The exports to Europe, it must be understood, have not been exclusively war material. Grain cargoes have been large and frequent, and there has been a demand in excess of the supply of steamers for grain as well as for coal, timber, and general cargo.

This condition extends, as the Senator from Texas [Mr. SHEPARD] has mentioned, even to that State—in fact, to the whole country—and instead of getting better it seems to be getting worse. I think it is quite proper that Congress should investigate the subject, inquire into the reasons for this situation, and endeavor to find the proper remedy.

Mr. NEWLANDS. Mr. President, no doubt this is a very important subject and should be immediately investigated. The question is, By what agency of the Senate? We have here a resolution that reports a congestion of interstate commerce as the result of an interruption of foreign commerce. Interstate commerce is under the jurisdiction of the Interstate Commerce Committee of the Senate. Foreign commerce is under the jurisdiction of the Commerce Committee of the Senate. It seems to me that the resolution ought to be referred to one of those two committees, or possibly to both, with a view to determining upon a proper method of inquiry, one which will be fruitful of results and educational to the Senate itself. As the matter of legislation must ultimately come before either the Interstate Commerce Committee or the Commerce Committee, it seems appropriate that the resolution should be referred to one of those two committees.

I invite the attention of my friend, the Senator from Arkansas [Mr. CLARKE], to the fact that the resolution relates both to interstate and to foreign commerce; but it is claimed that the interruption of interstate commerce is due to the fact that foreign commerce has been interrupted, and therefore the ultimate jurisdiction would seem to be in the committee of which he is chairman.

Mr. President, this brings my attention to one question, and that is that the divided jurisdiction of commerce between these two committees has thus far prevented any full and comprehensive adjustment of the transportation system of this country. The world now admits the superiority of Germany in regard to all methods of efficiency that relate to militarism. We must also admit the superiority of that country with reference to the regulation of its transportation. There they have built up a perfect system of river transportation, a perfect system of rail transportation, and a perfect system of ocean transportation, each dovetailing with the others in such a way as to promote the transportation and the commerce of that great country.

We have thus far paid attention only to interstate transportation and that form of it which relates to railways, and we have not yet taken up the question of the development of our rivers, which would mean that all our great waterways, properly developed as instrumentalities of transportation, would dovetail with the railways of the country in meeting the demands of commerce, particularly with reference to those coarse and bulky products which require cheap transportation.

If there were a perfect system of river and rail transportation in this country, we would not have a system as the result of which two or three trunk lines would be called upon in conditions of great emergency to supply almost all the transcontinental transportation of the country. This congestion is now upon three or four lines of the country, lines conducted from the West to the East, and does not relate to any part of that transportation which runs from the North to the South.

Mr. President, for some years I have been endeavoring to secure through a river regulation bill the proper consideration of this question and the question of transportation. The question of transportation has come up and is now before the Senate with reference to a bill I have introduced upon that subject, which is entirely devoted to rivers and does not include harbors. My view is that that bill should go to the Interstate Commerce Committee instead of the Commerce Committee, which has jurisdiction over foreign commerce and to harbors as instrumentalities of foreign commerce; that the Interstate Commerce Committee has jurisdiction over all matters relating to interstate transportation, including the instrumentalities of commerce themselves; and through that committee and its general jurisdiction over the subject of interstate transportation a proper system of river development can be worked out. I am perfectly willing, so far as that committee is concerned, to have it cooperate with the Commerce Committee in the accomplishment of that purpose; but it does seem to me that it is a matter that chiefly belongs to the jurisdiction of the Interstate Commerce Committee. I cheerfully concede that, so far as the question is concerned, the jurisdiction mainly relates to the Commerce Committee, of which my distinguished friend is the chairman. Undoubtedly the cause of this congestion is the want of carrying ships, and that subject is now before the Commerce Committee of the Senate. It seems to me that it would be better for that committee to take up the investigation than a new and untried special committee that has no accumulated experience upon the subject.

I may say here that the cause is perfectly apparent. This tie-up of transportation is caused, first, by the absolute withdrawal from commerce of the interned ships of the German nation, and, second, by the diversion of the other carrying ships of the world to the service of the war itself. Obviously, therefore, there must be a shortage of tonnage.

Mr. O'GORMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from New York?

Mr. O'GORMAN. Will the Senator yield for an inquiry?

Mr. NEWLANDS. Certainly.

Mr. O'GORMAN. The Senator from Nevada has stated some of the reasons explaining the present shortage of ships. Has the Senator considered the large number of neutral vessels that have been taken out of commission from time to time during the past 16 months because of the London orders in council?

Mr. NEWLANDS. I have not. I have not enumerated them, at all events, although, of course, that point should be held in mind.

Mr. O'GORMAN. It has been stated that more than 200 vessels belonging to neutral countries have been taken out of commission temporarily by virtue of a policy which has been pronounced by our State Department, and correctly so, as violative of well-established principles of international law and in disregard of the rights of neutral nations.

Mr. NEWLANDS. Undoubtedly.

Mr. NELSON. Mr. President, will the Senator yield to me for a moment?

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Minnesota?

Mr. NEWLANDS. Certainly.

Mr. NELSON. If Senators will examine the report of the Commissioner of Navigation they will find that, next to Great Britain, the greatest amount of ocean shipping is that of Norway. If you add to that the shipping of Denmark and Sweden you will find that their merchant marine altogether exceeds every other merchant marine to-day afloat on the ocean except that of the British. I know to my certain knowledge that what the Senator from New York [Mr. O'GORMAN] states, that they have eliminated 200 vessels of neutral shipping from commerce is not accurate, and for this reason: I know that every Norwegian vessel, from a motor boat up, is as busy as can be in carrying products from abroad. As a matter of fact, within the last six months more Norwegian, Swedish, Scandinavian, and Dutch shipping has been sunk by torpedo boats than has been the case with the shipping of Great Britain. It is true that most of these ships have been freighters, but the lives of the seamen and officers on those vessels are as dear to them as are the lives of the people who have the ability and the means to travel on the great liners to them.

It is not true that the shipping of these neutral countries in the north has been interfered with in its operations by the orders in council. Those vessels have been injured and interfered with solely by the operation of submarine boats and occasionally by mines. That is what has interfered with the traffic of the shipping in those Scandinavian and neutral countries, including Holland, and not the British orders in council.

Mr. O'GORMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from New York?

Mr. NEWLANDS. I do.

Mr. O'GORMAN. Do I understand the Senator from Minnesota to question the accuracy of the statement that during the past 16 months 200 neutral vessels have been taken into British ports and kept there, and their business activities interrupted?

Mr. NELSON. With the permission of the Senator from Nevada, I will answer the Senator from New York. There are two steamship passenger lines plying between the Scandinavian countries and this country—the Danish Line, which has four or five large ships, and the Norwegian Line, which has two large new ships. These lines, since the North Sea and the British Channel have become obstructed by mines and by other methods, have usually taken a course north of Scotland between the Orkney Islands and the Shetland Islands, and gone through the pass south of the city of Kirkwall, in the Orkney Islands. It has frequently happened that British vessels have held up those vessels temporarily for the purpose of searching for contraband; but, as a rule, very few of them have been held up; and when they have been held up the British have simply taken out the contraband goods and allowed the vessels to proceed on their journey. There has been very little interruption of the Norwegian Line and very little interruption of the Danish Line. The vessels of those passenger lines have not, as you know, been torpedoed. The work of the German submarines has been mostly confined to the freighters of those neutral countries.

So all the delay that has occurred has been only of a temporary character, occasioned by the searching of those vessels for contraband. As a rule, they have been allowed to proceed on their journey after they have been searched and the contraband removed. So they have not been eliminated from the trade. Those are the facts of the case.

Mr. SMITH of Georgia. Does the Senator from Minnesota mean to say that no goods have been taken?

The VICE PRESIDENT. There must be some little order in the Senate. In the interest of the stenographers the Senate can not have more than two Senators talking at once.

Mr. NEWLANDS. I should like to ask—

Mr. NELSON. I am on my feet by the favor of the Senator from Nevada, and of course I shall refrain from any further statement.

The VICE PRESIDENT. But there were two other Senators on their feet at the same time.

Mr. NEWLANDS. Mr. President, I yielded for what I supposed was to be a question; I did not intend, of course, to yield to general debate. I assume that the Senator from New York will not contend that these 200 vessels have been continuously detained out of the commerce of the world.

Mr. O'GORMAN. Mr. President, I have not made that statement; but I should say in this connection that I recently read in some publication that during the period of the war upward of 200 vessels of neutral countries have been taken into British ports from time to time and there held, frequently for months, before an opportunity was afforded to have the questions tried out before a prize court. If I mistake not, protests have been made by this Government from time to time regarding those unusual and unprecedented delays. Of course, we know that in the old days, when a belligerent sought to examine the contents of a neutral ship the examination took place on the sea where the capture or seizure occurred. Such customs have been entirely disregarded as a rule during this war, and ships have been taken some hundreds of miles into British ports and there confined for weeks, and sometimes for months, before they received their clearances. Only recently it was the subject of comment that some of these neutral ships which were brought into British ports under protest to enable the British authorities to investigate their cargoes were required and compelled to pay port charges after they were discharged and before they were permitted to leave the British port.

Mr. NEWLANDS. I assume, however, that the Senator will not contend that these 200 ships have been under continuous detention, but that that number have probably been detained at different times, many of them for short periods and some for long periods—of course that is unquestioned—and to that extent the carrying trade of the world has been affected by the delay.

Now, Mr. President, we are endeavoring, as we have been endeavoring for the last two years, to meet this question of deficient transportation. We had, in the first place, a measure pending before us for an auxiliary navy, with a view to purchasing a number of carrying ships for the auxiliary navy and using them in times of peace in opening up new routes of commerce. That was followed by a shipping bill, under which the United States was to enter into the business of constructing and operating ships, and such a measure is now pending. This investigation, I imagine, will throw some light upon that legislation, and it seems to me very proper that the resolution should go, therefore, to the Committee on Commerce.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from New Hampshire?

Mr. NEWLANDS. I do.

Mr. GALLINGER. Mr. President, as a matter of historical accuracy, I think the Senator from Nevada should say that long prior to the legislation to which he alludes bills were introduced and passed this body which, in the opinion of some of us, would have rehabilitated the American merchant marine to such an extent that this present embargo would not exist.

Mr. NEWLANDS. Of course it is a part of the history of the country that under the able leadership of the Senator from New Hampshire a measure has been urged for years, called the ship-subsidy bill, and doubtless that bill, if it had been carried into operation, would have resulted in an increase of American shipping; but there never has been a time when such a bill could pass, and, in my judgment, there never will be, for the Senator has never been able to obtain the full support of his own party for a bill involving a subsidy. It is therefore absolutely essential for us, if the Government is to act at all, either to act in a limited way, by the immediate construction of the needed auxiliary ships for the Navy, which would supply in part our commercial requirements, or to go into Government construction and

operation, and even then it would be a long time before we get the ships. The mere purchase of existing ships engaged in the carrying trade of course will not add to the existing facilities for commerce. It will be absolutely essential to construct new ships. So far as private enterprise is concerned in this connection, without Government aid of any kind, it means that private individuals would be obliged to go extensively into the construction of ships to meet a pressing extraordinary demand, with the possibility that, upon an abrupt conclusion of the war, all the carrying ships now engaged for military purposes would be thrown into the commercial area, and thus imperil the investments of private capital.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from New Hampshire?

Mr. NEWLANDS. If the Senator will pardon me, in a moment I will yield.

It seems to me absolutely essential that the Government should act in some way. I believe that the way it should act would be in a way that would receive almost the unanimous support of both parties in Congress, namely, by providing for the acquisition of a large number of ships—fifty or sixty million dollars' worth or more—as a part of the Federal Navy, with a view to aiding our fighting ships in case of war, with the power to utilize them whilst we were at peace in general commerce by lease to operating companies upon terms fixed by the Government, thus doing away with the necessity of compelling any legislator to so act as to settle the contention in favor of Government operation of ships, a policy to which many Senators both on the other side and this side have serious objection. We could at the very commencement of this war, if the Senate had adopted an amendment which I offered to the naval appropriation bill providing for the purchase and construction of auxiliary ships by the Navy, have had by this time a large portion of the ships required. It seems to me that we ought to act promptly upon that subject, remove from debate all moot, all contested questions, and simply, patriotically act in the interest of the country upon a line that would meet the candid support of both sides of this Chamber.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from New Hampshire?

Mr. NEWLANDS. Certainly.

Mr. GALLINGER. Further, in the interest of historical accuracy, I desire to remind the Senator from Nevada—and I trust we shall not get into a partisan discussion on this question—that the bills which have been introduced and which several times passed the Senate received the almost unanimous approval of the Republican side of the Chamber and the unanimous disapproval of the Democratic side.

Mr. NEWLANDS. They certainly did.

Mr. GALLINGER. They were defeated, Mr. President, under the cry, the bugaboo of "subsidy," which is now being revived in the ship-purchase bill that the administration proposes to force through Congress, if it can, in a more obnoxious form than it ever was presented to the people of the country in the past.

Mr. NEWLANDS. But, Mr. President, the Senator will admit that his ship-subsidy measure was pressed for many years whilst the Republican Party had full control of both the Senate and the House of Representatives, and that bill failed because it did not have enough Republican votes to support it.

Mr. GALLINGER. Ah; but, Mr. President—

Mr. NEWLANDS. So I have been entirely justified historically in saying that the Republican Party has not been a unit with reference to that measure.

Mr. GALLINGER. But, Mr. President, one of those bills passed this body and passed the other House with an amendment. We desired to have that amendment concurred in, but it was filibustered to death by two Senators on the other side of the Chamber.

Mr. NEWLANDS. Now, Mr. President, I will say that the Senate Committee on Interstate Commerce has to-day been considering a resolution—Senate resolution 60—regarding an investigation by a committee of all the questions which relate to transportation in interstate and foreign commerce, with a view to full and comprehensive legislation upon the subject. That committee is authorized to report the resolution which I introduced, with some amendments, and it is to be reported within a few days. If the House concurs in that action all these matters would come, I imagine, or might come, before such a committee; but, as the action of the House on this subject may be problematical, I will not expect the Senate to defer action upon this subject until that matter shall have been determined. I think that the resolution introduced by the Senator from Mon-

tana ought to go to some standing committee of the Senate; and, unless the Senator from Arkansas [Mr. CLARKE] is disposed to request its reference to the Committee on Commerce, I shall ask for its reference to the Committee on Interstate Commerce.

Mr. CLARKE of Arkansas. Mr. President, the Committee on Commerce is one of the instrumentalities by which the Senate conducts its business. That committee is not willing to relinquish any jurisdiction that by common consent and universal practice has been lodged there; neither is it disposed to go out into the unsettled domain to demand jurisdiction of everything that has a remote connection with water transportation.

This particular resolution partakes of the nature of the jurisdictions, respectively, assigned to the Committee on Interstate Commerce on the one hand and the Committee on Commerce on the other. It might appropriately go to either. It is altogether probable that it should go to one or the other. The Committee on Commerce is at this time pretty well supplied with business and it is not disposed to enter into competition or a race of diligence with any other committee. It is entirely satisfactory to me to have the resolution go to the Committee on Interstate Commerce. That committee is made up of able Senators who have been for years dealing with some of the questions involved in this particular inquiry. But if, on the other hand, the Senate sees proper to send the resolution to the Committee on Commerce, I can give the assurance of that committee, based upon its past efficiency, that it will do the best it can with the subject matter.

This particular resolution, however, is not now in a condition to be referred to either of those committees, for the reason that, under a mandatory statute of the United States and the specific rule of the Senate, it must go to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. It will go there whenever the discussion is over.

Mr. CLARKE of Arkansas. I shall not pursue the subject until it comes before the Senate again.

Mr. GALLINGER. Mr. President, I am not enamored with the work of special committees or commissions. I think we are overloaded with that kind of work. With a view to having this matter go to a tribunal that I think is eminently fitted to consider it and to make a report to the Senate, I offer as a substitute for the resolution the matter which I send to the desk.

The VICE PRESIDENT. The Secretary will read the proposed substitute.

The Secretary read as follows:

Resolved, That the Interstate Commerce Commission is hereby directed to investigate and report upon the existing freight blockade and embargoes on the trunk-line railroads entering the port of New York City and other ports where like conditions may be disclosed; the extent of and the reasons for such blockade and embargoes; the effect of the same upon the foreign and domestic commerce of the United States; the extent to which the same is occasioned by a lack of ocean transportation facilities at and from such ports; the reasons for such insufficient shipping or ocean transportation facilities; the ocean freight rates now being charged as compared with the rates existing at the time of the outbreak of the European war in 1914; the extent, if any, to which discriminations are being practiced by shipowners and carriers as between American products and commodities, and the reasons therefor; and, also, to investigate the shipping conditions as related to any and all of the ports of the United States, and as between said ports and foreign countries; report to be made to the Senate at the earliest practicable day.

Mr. STONE. Mr. President, I should like to inquire whether, in a case like this, where a resolution is pending which must go to the Committee to Audit and Control the Contingent Expenses of the Senate, an amendment or a substitute can be offered which would take it out and away from the jurisdiction of the Committee to Audit and Control the Contingent Expenses of the Senate?

If I may be permitted, I will make just a single remark. I feel that it is very important that an investigation of this kind should be made. The honorable Senator from New Hampshire [Mr. GALLINGER] thinks so. His opinion is expressed in the substitute which he has offered. Therefore, so far as he and the Senator from Montana [Mr. WALSH], who has offered the pending resolution, are concerned, and so far as the Senator from Nevada [Mr. NEWLANDS] and the Senator from Arkansas [Mr. CLARKE], the chairmen of the Committees on Interstate Commerce and Commerce, are concerned, the difference between them concerns the agency to be employed in making the investigation.

I have not any doubt that the Interstate Commerce Commission, for example, are eminently qualified to conduct the investigation. I concede that they are so qualified by reason of the ability of the commission, the experience of the commission, and their general knowledge of the subject to be investigated. I have not any doubt that the Committee on Commerce, the Committee on Interstate Commerce, or the special committee sug-

gested by this resolution, could conduct the investigation. The one thing above all others that interests me is, what agency is most likely to prosecute an investigation of this kind with a due degree of speed, and return a report to the Senate before the Sixty-fourth Congress adjourns?

I am not going to discuss the matter. I simply say that is the chief question that concerns my thought at this moment.

It occurs to me that the resolution offered by the Senator from Montana ought to go to the Committee to Audit and Control the Contingent Expenses of the Senate; and I submit to the Chair whether any other disposition of it can be made by the offering of an amendment or a substitute.

The VICE PRESIDENT. The Chair is of the opinion—

Mr. LODGE. Mr. President—

Mr. WILLIAMS. Mr. President—

The VICE PRESIDENT. The Chair thinks this is a point of order.

Mr. GALLINGER. Is it a point of order? I understood—

Mr. STONE. I will make the point of order, in order to bring it clearly before the Chair. It was really a parliamentary inquiry.

Mr. LODGE. May I ask to be heard on the point of order?

The VICE PRESIDENT. The Chair will consent to hear the Senator from Massachusetts, but the Chair's mind is made up.

Mr. LODGE. I should not expect to convince the Chair.

The VICE PRESIDENT. Not on that proposition.

Mr. LODGE. I was only going to suggest, for my own satisfaction, that a resolution involving a charge upon the contingent fund of the Senate is not unamendable. It can be amended at any stage. It can be amended in such a way as to remove the clause which brings it under the statute and the rule. I have seen that done on this floor. It may be amended by the Senate in other ways and then go under the rule and the statute as representing the opinion of the Senate as to the form of the resolution. If it goes with an amendment pending, the Committee to Audit and Control do not pass on the pending amendment, because it is not before the committee. It is pending here on the resolution as originally introduced, but the fact that a resolution carries a charge on the contingent fund does not remove it beyond the power of amendment in the Senate.

Mr. WILLIAMS. Mr. President, if the Senator from Massachusetts will pardon an interruption—

Mr. LODGE. Certainly.

Mr. WILLIAMS. Of course the Senator is perfectly right in saying that the Senate, when the resolution is before it, even if the resolution must go to the Committee to Audit and Control, can amend the scope of the resolution itself; but not even by unanimous consent can the Senate send to another committee of the Senate for consideration, or even pass itself, a resolution which requires payment out of the contingent fund.

Mr. LODGE. That is absolutely true. I do not question it.

Mr. WILLIAMS. Now, then, does or does not the original resolution, to which the amendment of the Senator from New Hampshire applies, require payment out of the contingent fund? If the original resolution does, then, if the Senate amends the original resolution, of course the original resolution as amended must also go to the Committee to Audit and Control.

Mr. LODGE. But if the amendment offered by the Senator from New Hampshire should be adopted by the Senate, or if an amendment simply to strike out the clause making the charge were adopted, that would at once take it from under the rule and the statute.

Mr. WILLIAMS. Oh, of course.

Mr. LODGE. Exactly.

Mr. WILLIAMS. If an amendment were adopted which struck out the charge against the contingent fund of the Senate, then the jurisdiction of the Committee to Audit and Control would terminate.

Mr. LODGE. My sole contention is that the amendment is not out of order.

Mr. WILLIAMS. But does the amendment offered propose to do that?

Mr. LODGE. Yes; it strikes out the charge, because it carries the work to the Interstate Commerce Commission.

Mr. STONE. At all events the original resolution, before it can be considered by the Senate, must go to the Committee to Audit and Control.

Mr. LODGE. Oh, Mr. President, that is the point I am against. The resolution is amendable in the Senate. We are not deprived of our right of amendment by the fact that it has to go to the Committee to Audit and Control.

Mr. STONE. I understand; but does the Senator agree that the original resolution itself can not be considered by the

Senate until it is referred to the Committee to Audit and Control?

Mr. LODGE. It can not be passed. It can be considered, and it is constantly done. I have seen resolution after resolution which made a charge on the contingent fund amended by the Senate before it was sent to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. Will the Senator from Massachusetts cite the Chair to a precedent where the point of order was made that the resolution should go first to the Committee to Audit and Control, and the point of order was overruled, and the Senate amended the resolution without sending it to the Committee to Audit and Control? Has the Senator from Massachusetts in mind or at hand an instance of that kind?

Mr. LODGE. An instance?

The VICE PRESIDENT. A ruling of that kind; yes.

Mr. LODGE. Have I in mind an instance where a resolution carrying a charge on the contingent fund was amended?

The VICE PRESIDENT. Amended over a point of order that it should go to the committee.

Mr. LODGE. I do not know that after the point was made that it should go to that committee it has ever been amended.

The VICE PRESIDENT. That is the point. The Senator from Massachusetts is just as likely as the Chair to be right, and more so; but the Chair is clearly of the opinion that under the statute of the United States, when a resolution calls for an expenditure from the contingent fund of the Senate, that resolution must first go to the Committee to Audit and Control the Contingent Expenses of the Senate, that it may determine the question as to whether it will report back the resolution favorably or unfavorably, and whether it will amend the resolution in any way. It is a regular committee of the Senate and there is a statute requiring that such resolutions shall be referred to it. Until that action has been taken the Chair rules that the resolution is not subject to be amended in the Senate of the United States, although it is amendable after the report is made.

Mr. GALLINGER. Mr. President—

Mr. LODGE. I will yield to the Senator from New Hampshire in one moment. If I may be permitted to say so, I have not any question that I can find plenty of cases where a resolution has been amended before it went to the Committee to Audit and Control.

The VICE PRESIDENT. The Chair has not any doubt about that, either.

Mr. LODGE. But if the point of order is made that it must go to that committee, that, I confess, I have never considered—whether, after that, it could be done; that is, whether that point of order cuts off debate and amendment.

Mr. GALLINGER. Mr. President, I have had very slight experience in presiding over this body, and I know that when I did preside over this body I made some bad rulings.

The VICE PRESIDENT. That is not unusual for any presiding officer.

Mr. GALLINGER. Exactly. Some of those rulings have been reversed by the Senate, as have some of the rulings of the present occupant of the chair been wisely reversed. I think the decision of the Chair is not well founded, but I am not going to appeal from it. I have no disposition to enter into a controversy about this matter.

I had a double purpose in offering the amendment. One was to send the resolution to a body that has all the equipment for making an immediate investigation. The Interstate Commerce Commission has a vast army of men who have special fitness for this kind of work. My other reason was that the revenues of the Government are in a very bad way; and I thought by getting rid of this provision which puts the investigation in the hands of a special committee that would cost the Government something and therefore require sending the resolution to the Committee to Audit and Control, we might do a little something toward rehabilitating the Treasury of the United States.

Mr. President, I am sorry the ruling has been made; but to the ruling I submit, and will simply say that I hope the resolution as originally offered will go, as it will go, to the Committee to Audit and Control the Contingent Expenses of the Senate. When it comes back here, if I happen to be in the Chamber, I shall then offer the amendment that I presented to-day.

The VICE PRESIDENT. The Senator from New Hampshire understands that the Chair is clearly of the opinion that when the resolution comes back, if it does come back, any desired amendments may be offered.

Mr. GALLINGER. Yes; there can be no question about that.

The VICE PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

IMPORTATION OF LOGWOOD EXTRACTS.

Mr. GALLINGER. Mr. President, before the morning hour expires, I desire to say that some time ago I called the attention of the State Department to the logwood situation in this country. Our textile manufacturers are suffering great hardship because of the fact that they can not get dyes from abroad, or logwood with which to make dyes. I called that matter to the attention of the State Department, and about 10 days ago Secretary Lansing wrote me a letter, which I wish I had in hand at the present moment, saying that he thought the matter had been so arranged that we could get a sufficient supply of logwood from Jamaica; but there was a little trouble about it, inasmuch as they first wanted to supply Canada, which I presume is well enough. That letter was published in the press of New England and to some extent in the press of other parts of the country and seemed for the time being to satisfy our manufacturers. This morning I received this telegram:

BOSTON, MASS., January 7, 1916.

Hon. J. H. GALLINGER,
Washington, D. C.:

Is there anything official with reference to the embargo situation on logwood? Kindly telegraph fully, my expense.

F. C. DUMAINE.

Mr. Dumaine is the treasurer of the great Amoskeag Co., of New Hampshire. I immediately communicated with the State Department, and am in receipt of this telegram, which I was requested to transmit to Mr. Dumaine:

State Department is endeavoring to have manufacturers of logwood extract reduce their price to Canada, which will overcome British objections and release supply from Jamaica. In the meantime supply can be obtained from Haiti by addressing United States consul at Port au Prince and from British Honduras by addressing Messrs. C. Mulhade & Sons or Robert M. Steele, at Belize. Bureau Foreign and Domestic Commerce will send you pamphlet giving further details.

I desire simply to put this matter in the RECORD in order that the great manufacturing industries of the country, not only of my own part of the country but in other parts of the country, may be officially apprised of the present situation. I am afraid it is not going to give them the relief they are seeking; but, at any rate, there is some encouragement in the dispatch.

THE GOVERNMENT OF THE PHILIPPINES.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, Senate bill 381.

The Senate, as in Committee of the Whole, resumed consideration of the bill (S. 381) to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands.

Mr. SHAFROTH. Mr. President, the pending bill provides for a more autonomous government in the Philippine Islands, and promises ultimate independence to the people thereof.

As the determination of the problem involves such great responsibilities and consequences, not only to our Government and people, but also to the government and inhabitants of the islands, the subject should be most carefully considered and analyzed.

I wish to discuss the question from, first, the political, second, the commercial, and, third, the military viewpoint.

I. FROM THE POLITICAL VIEWPOINT.

What I mean by the political viewpoint is, how will legislation upon this question affect the great principles and policies of our own Government and of theirs?

Mr. President, in the formation of our Republic we put forth to the world new principles of government, which seemed so plain to us that we declared them to be self-evident truths. We declared that all men are created equal, not in intellect, not in height, not in strength, not in color, and not in many other respects, but equal in rights. We declared that man is entitled, as an unalienable right, to life, liberty, and the pursuit of happiness. We said in that declaration that so sacred are these rights against tyranny that they not only shall not be invaded by others, but they can not be bartered away even by ourselves. We further declared as our fundamental principle that, in order to secure these unalienable rights, governments are instituted among men, deriving their just powers not from kings, not from presidents, not from parliaments, not from congresses, but from the consent of the governed. We further said, "that whenever any form of government becomes destructive of these ends it is the right of the people to alter or abolish it and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness."

These principles, according to our ideas of right, constitute the ethics of organized society called government.

Sir, the one thing above all others for which we and all human beings yearn, compared to which all gifts and favors are as nothing and contrasted with which great wrongs seem light and trivial, is liberty. In order to eradicate that sentiment from our hearts it is necessary to turn back the hands of the clock of civilization, to nullify the self-evident truths of our own Declaration of Independence, and to announce that some people have the right to govern others without their consent. If we attempt to hold the Philippines permanently, these fundamental truths will continually and persistently rise in our minds and in theirs to show our violation of the law of our own being.

Mr. President, if the happiness of the inhabitants of the Philippines be the determining factor in the question of their government, then independence of that people is the only solution.

This arises from the fact that no people of any intelligence, after being conquered, are willing to be ruled by an alien race. There is born in the breast of every human being a love of independence, liberty, and freedom, not only for himself, but also for his nation, people, and race. All questions of efficiency in government are, and always have been, considered subordinate in the minds of those to be governed to the principle of self-government. Every people who aspire to independence honestly believe their government will be better than any foreign government imposed upon them; but even if they knew that their own government would not be as efficient, economical, or progressive as the government of them by another race, they would prefer their own government and get more satisfaction and happiness from the same. Yea, more, they would by self-government develop a manhood and character which in the end would produce a greatly superior people. We know that we have the best government of this continent, but we do not find any of the South or Central American countries petitioning to have the benign rule of our Republic extended to them.

Lord Elphinstone, in trying to convince an Afghan chief of the benefit of English rule over his province, asked him, "Do you not think there are benefits, compensations, on the other side of the border in the way of peace and tranquillity? Here you have disturbances so frequently; homes are being invaded and people are being killed, and there is always disorder." The chief answered, "While peace and tranquillity are my ardent desire, I will bear with all the disturbances and evils of my country; but there is one thing that I will not bear, and that is a master."

Mr. Oscar T. Crosby, in his statement before the Senate Committee on the Philippines (220), referred to this incident and said:

Now, if that does not express what the race that we belong to has stood for in the past, I do not know what language would. And why in the world we should be surprised to discover anyone else with those sentiments I can not understand. It is our pride to have lived up to those sentiments ourselves, and we would have killed anybody who, with let or hindrance, stood in the way.

This same truth was expressed by the great Daniel Webster when he said:

We may talk of it as we please, but there is nothing that satisfies mankind in an enlightened age unless man is governed by his own country and the institutions of his own government. No matter how easy may be the yoke of a foreign power, no matter how lightly it sits upon his shoulders, if it be not imposed by the voice of his own nation and his own country he will not, he can not, and he means not to be happy under its burdens.

How much more convincing must be the statement when it is applied to a conquered nation governed by an alien race?

AIR OF SUPERIORITY ASSUMED BY CONQUERORS PREVENTS CONTENTMENT.

There are two reasons why a conquering nation can never obtain the hearty good will and love of an alien people as long as it forcibly holds possession of their country:

First. The usual arrogance and supercilious conduct of the officers and citizens of the conquerors stationed or residing in the subjugated country is always offensive to the inhabitants.

Second. That the families of the military and civil officers of the conquering nation hold themselves aloof from even the most refined and highly educated of the alien race must create a spirit of resentment. Under similar circumstances we would feel the same way.

Mr. Carl Crow in his book entitled "America and the Philippines" uses this language:

We can give them law and order and prosperity, educate them and train them to be self-governing, but we can never give them happiness while we refuse to receive them socially.

INDEPENDENCE THE ONLY LOGICAL SOLUTION.

Independence for the Philippines is sure to come, because it is logical, and any other course will destroy the very fundamental principles upon which our own Government is founded.

We must treat the Filipinos either as subjects or citizens. If we treat them as subjects, we will always have their enmity,

produced from a knowledge that, according to our own theory of government, they are deprived of their rights. We can never gain their affection so long as we deprive them of what they conceive and what our principles of government declare as self-evident truths to be their rights. They may be quiet through fear, or by reason of hoping for the redemption of promises which have been made to them, but there can be no genuine affection until the promises are fulfilled. Government by force may produce a peace, but it is the quiet caused by fear. Such condition makes cowards of men and destroys the very elements of manhood which we most admire. God forbid that our benign Government, in order to maintain our rule, should destroy the nobler impulses of their nature.

We will never treat them as citizens, because as such they will be entitled to statehood. No one here has ever suggested that they be given statehood, with 40 Representatives in the Congress of the United States, to which they would be entitled, according to their population, under our Constitution.

DID WE PROMISE ULTIMATE INDEPENDENCE?

Mr. President, considerable opposition has been made to the preamble of the bill because it promises independence to the Filipinos when, it is argued, no such promise was ever authoritatively made, and some have contended that as the present Congress can not bind any future Congress, the promise should not be made.

When statements are made to a people which can fairly be interpreted as a promise, expressed or implied, it is not fair to invoke technical rules of construction that might be contended for in a court of law in the interpretation of an instrument drawn by skilled attorneys to express all the agreement between the parties.

Taking into consideration the circumstances attending our occupation of the islands, our principles of government, and what was said at the time and afterwards by those in authority, it seems to me no one can doubt that the natives understood they were to have their independence.

Could the Filipinos forget the words of President McKinley, at the beginning of the Spanish-American War, when he said:

Forceful annexation can not be thought of; that, according to the American code of morals, is criminal aggression.

From those words, would not the people of the Philippines have a right to understand that to forcibly annex their islands would be criminal aggression? Would they have aided us in conquering Spain if they had dreamed we would subjugate them?

Again, President McKinley said:

The Philippines are ours not to exploit, but to develop, to civilize, to educate, to train in the science of self-government.

Mr. Taft, when Secretary of War, in April, 1904, in a speech used this language:

When they have learned the principles of successful popular self-government from a gradually enlarged experience therein, we can discuss the question whether independence is what they desire and grant it, or whether they prefer the retention of a closer association with the country which, by its guidance, has unselfishly led them on to better conditions.

In 1907 Mr. Taft, in opening the Philippine Assembly, made this statement:

The policy looks to the improvement of the people, both industrially and in self-governing capacity. As this policy of extending control continues, it must logically reduce and finally end the sovereignty of the United States in the islands, unless it shall seem wise to the American and the Filipino peoples, on account of mutually beneficial trade relations and possible advantage to the islands in their foreign relations, that the bond shall not be completely severed.

In the special report made by Mr. Taft when Secretary of War, on January 23, 1908, he succinctly stated what, in effect, he told the General Assembly of the Philippine Islands. He said (p. 484):

It necessarily involves in its ultimate conclusion, as the steps toward self-government become greater and greater, the ultimate independence of the islands. . . . Any attempt to fix the time in which complete self-government may be conferred upon the Filipinos in their own interest is, I think, most unwise.

Ex-Gov. Gen. James F. Smith, in an article in the *Sunset* Magazine of December, 1911, used this language:

The evolution of a government by Americans assisted by Filipinos into a government of Filipinos assisted by Americans, and the education and preparation of the people for popular self-government, was the broad policy of President McKinley, of President Roosevelt, of Gov. Taft, of Gov. Gen. Wright, of Gov. Gen. Ide, and of all their successors. It is the policy to-day.

What does popular self-government mean? Self-government with a string to it is not self-government. It evidently means government by themselves, without any interposition on our part, and that means independence.

Ex-Gov. Gen. W. Cameron Forbes, in a farewell speech before leaving the islands, made the statement that—
the policies of both parties reached the same general conclusion in regard to the granting of independence when a stable government should be established.

Mr. WORKS rose.

Mr. BORAH. I wish to ask the Senator from Colorado a question.

The PRESIDING OFFICER (Mr. JOHNSON of South Dakota in the chair). Does the Senator from Colorado yield to the Senator from Idaho?

Mr. SHAFROTH. Certainly.

Mr. BORAH. As I understand the statements which the Senator has been making, they are not different from the attitude which some of us assume at the present time. Does the Senator take the position that the Filipinos ought to have their independence now?

Mr. SHAFROTH. Yes; I think as soon as they reasonably can get under way there in the exercise of functions of government. I believe in their having it in two or three years.

Mr. BORAH. If the Senator contends, in the first instance, that they should not have it until they are prepared for it, then the difference between the Senator and me would simply be a question as to when they would be prepared for it, would it not?

Mr. SHAFROTH. Yes, sir; I think so. I do not believe that the Filipino people would establish a government such as we have in the United States. I do not believe that there is any people on earth who can have a government equal to ours. But they will have a government satisfactory to them, and they will maintain law and order there, and, in my judgment, they can do it now. Of course it is not the uneducated persons who will do that. As I stated on yesterday, it is the fact that the Filipinos elect men to office who are capable of doing these things, who are educated, and who can pass laws that would be a credit to any government.

Mr. BORAH. But neither Mr. McKinley nor Mr. Taft has made any pledge, according to anything which has been read in the Senate Chamber, that they should have independence at any time prior to their being fitted for it through the experience of local self-government.

Mr. SHAFROTH. Mr. Roosevelt has, but Mr. Taft has not. Mr. Taft has always said that it should be in a generation or two, but Mr. Roosevelt in a recent article in *Everybody's Magazine* has said that they should have independence now, inasmuch as we have made to them a promise of independence.

Mr. BORAH. Did not the ex-President say that there were only two courses open, either to give them independence now or to enter faithfully upon the proposition of educating them to a point where they would be really fit for self-government?

Mr. SHAFROTH. No; in that recent article he said if the Filipinos had been misled, if they honestly believed from the representation that they were to have independence, we ought to give them independence right away and retain nothing in the islands whatever. I will get to that statement in a few minutes.

Mr. BORAH. All right.

Mr. SHAFROTH. I may as well read it now.

Mr. BORAH. I do not care to take the Senator out of the course of his remarks.

Mr. KENYON and Mr. WORKS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Colorado yield, and to whom?

Mr. SHAFROTH. I yield first to the Senator from Iowa.

Mr. KENYON. If the Senator will read the article from President Roosevelt, I will not make the suggestion I have in mind. I think the notion was expressed by him that inasmuch as the Democratic Party had now declared for independence the country owed it to them to give it.

Mr. SHAFROTH. I will read that, because I want to read also some of the statements of the Democratic officials.

Mr. WORKS. Mr. President—

Mr. SHAFROTH. I yield to the Senator from California.

Mr. WORKS. I was about to ask a question similar to the one submitted by the Senator from Idaho [Mr. BORAH]. I should like to ask whether the Senator himself believes that the Filipinos are capable of establishing and maintaining a government fitted to their condition.

Mr. SHAFROTH. I think they are. Of course it can not be done to-morrow. The government should be turned over probably after trying a governor general appointed from the Filipinos, and a demonstration that they are capable of maintaining a government. I am satisfied that they will be able to prove their capacity for the responsibilities.

Mr. WORKS. I understand the Senator takes the position that the ultimate right of the Filipinos is absolute independence and self-government. What I am afraid of is that we are going to fix too high a standard for those people and will withhold from them the right that they should govern themselves until they can do it in a way that we think is the best way. That is one of the troubles, I think, about the bill now before the Senate. I am one of those who believe that the Filipinos are entitled to their absolute independence and a government of their own, but I should like to see them have it just as soon as possible. Just as soon as we can surrender our rights there and turn it over to the Filipinos themselves decently I should want to see it done.

Mr. SHAFROTH. I agree with the opinion of the Senator in every particular. I will read, because I want it in the RECORD, the statement of ex-President Roosevelt, and then I will get to the other statement in just a moment.

President Roosevelt, in a message to Congress in 1908, said:

Hitherto this Philippine Legislature has acted with moderation and constraint—

He was commenting upon the conservative nature of the legislature—

and has seemed, in practical fashion, to realize the eternal truth that there must always be government, and that the only way in which any body of individuals can escape the necessity of being governed by outsiders is to show that they are able to restrain themselves, to keep down wrongdoing and disorder. The Filipino people, through their officials, are therefore making real steps in the direction of self-government. I hope and believe that these steps mark the beginning of a course which will continue till the Filipinos become fit to decide for themselves whether they desire to be an independent nation. * * * All we can do is to give them the opportunity to develop the capacity for self-government. * * * We can not give them self-government save in the sense of governing them so that gradually they may, if they are able, learn to govern themselves.

Can that language have any other meaning than a promise of ultimate independence to those people if they desire it?

In a message to Congress, delivered on the 6th of December, 1912, President Taft said:

We should * * * endeavor to secure for the Filipinos economic independence and to fit them for complete self-government, with the power to decide eventually, according to their own largest good, whether such self-government shall be accompanied by independence.

Mr. WORKS. Mr. President, I gathered from what was said by the Senator from Nebraska [Mr. HITCHCOCK] yesterday that the government of the islands at the present time is about as good as our own. He likened the conditions there to conditions in the State of Iowa, for example. I should like to know to what extent the Senator thinks that kind of a condition is maintained by our own forces and our own control over the administration of affairs there.

Mr. SHAFROTH. I will state that since Mr. Harrison has been Governor General of the islands a policy somewhat different has been pursued, especially with respect to what are called the uncivilized people, the Moros. Formerly the United States troops were quartered there because of the fear that if they were withdrawn anarchy and insurrection would immediately prevail. Gov. Gen. Harrison appointed Frank Carpenter governor of the Mindanao district. He went down there with instructions to try to get the Moros interested in government. Soon the American troops were withdrawn and Gov. Carpenter called the chief datos together. He said to them, "We are going to let you help in the government." He appointed a number of Moros to positions, some of minor importance but many of them bearing commissions signed by the governor, in which they took a great deal of pride. From that time there has been an amazing improvement in the observance of law and order in the Province. There has been no revolt nor any large disturbance. It was said that the Moros would immediately subjugate the entire country. Instead of that it is perfectly safe to go through the Moro country without any guard whatever. Three or four of us went across the island of Jolo in an automobile with no concern. It would have been absolutely reckless 10 years ago, or even 5 years ago, to have gone without an armed guard.

Mr. WORKS. Does the Senator think we should withhold independence from the Filipinos until the Moros are civilized?

Mr. SHAFROTH. Oh, no.

Mr. WORKS. And capable of self-government?

Mr. SHAFROTH. I am satisfied the Moros are going to cooperate with the Filipinos. There had been attempts to arouse antagonism between the Moros and the Filipinos, but since Gov. Gen. Harrison entered upon a policy which was the establishment of colonies composed of Christian Filipinos in the heart of the Moro country there has been no indication of any friction between them.

We visited certain colonies that had been planted from Cebu down on one of the rivers in Mindanao. Some of those colonies consist of Filipinos, and three of them consist of half Filipinos

and half Moros. They were each placed almost alternately upon 40 acres of land, and they have been getting along all right. The committee which went upon that occasion arranged to be there at a certain time and were well received. The natives mingled together; there was no one hurt; there was nothing in the way of a disturbance of any kind. The three other colonies consist of Christian Filipinos from Cebu, who were located upon tracts of land right in the heart of the country of the Moros, but not on alternate 40-acre tracts. There has been no trouble there; there has been no disturbance. Those people have been there for two years now, and the result is, as Gov. Carpenter stated to me, that there never had been such good order in that island as existed in those two years.

Mr. BORAH. I want to ask the Senator from Colorado a question in order that I may find out what the difference of opinion here is in regard to this matter. I ask, Does the Senator from Colorado believe that the Filipinos would be capable of self-government and fitted for independence as soon as, in the order of things, the government could be turned over to them?

Mr. SHAFROTH. I think so.

Mr. BORAH. And that would perhaps take a year or two?

Mr. SHAFROTH. It would probably take two or three years.

Mr. BORAH. In other words, the only delay which the Senator sees as being a necessary delay is such delay as would be required to transfer the machinery of government into their hands?

Mr. SHAFROTH. And perhaps to test it a little by an experience of several months in seeing that they discharged their duties.

Mr. BORAH. I do not see, then, why there should not be at least in this bill a definite proposition as to when these Filipinos shall have their independence.

Mr. SHAFROTH. I would rather have it in that way; but, Mr. President, the difficulty is that all men do not agree on that. I will tell the Senator from Idaho why the provision that was contained in the House bill was not adopted by us. There was a suggestion made in the committee that it was the language of the Democratic platform, and if we put it into the bill it would be considered a Democratic measure and would, therefore, meet with opposition. I do not know whether that would occur, but we did not want it to be a partisan matter, because there were Republican members of the committee who had been voting for the measure, and we did not want to criticize the administrations that had been in charge over there. So we felt that it would be better to change the language. My belief and conviction is that if we get the word "independence" in the bill it will not be long before the people of the United States will feel that they should give the Filipinos an opportunity to have independence as soon as practicable.

Mr. BORAH. I was going to say that the apparent partisanship might be obviated by simply putting in what is already there with the definite statement as to the year, say 1925 or 1920.

Mr. SHAFROTH. There was a suggestion of that kind. I believe in putting in a definite date. I should like very much to do so; but the objection was urged that we might be at war at the date fixed, and it might be very impolitic for that reason to set a time. So it was said that it would not do to fix a definite date. That seemed to be the prevailing opinion of the majority, although that very majority wanted to fix a definite date if no interference of the kind suggested was likely to occur. We have had discussions of these matters; we have tried to solve them as best we could; and the language which we have adopted seemed to be the language that would meet with no opposition or comparatively little opposition in the committee.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. SHAFROTH. I yield to the Senator from Iowa.

Mr. CUMMINS. In view of the statement just made about the Democratic platform, may I ask whether the Senator from Colorado has knowledge of the views of the Democratic Senators upon that point?

Mr. SHAFROTH. No. I can not state them, though the members of the committee expressed themselves, and some of the Democratic members of the committee did not feel that it was safe to fix a definite time.

Mr. CUMMINS. Does the Senator from Colorado believe that a provision in the bill that would put an end to the sovereignty of the United States in the islands within a few years would meet the approval of the Democratic Senators?

Mr. SHAFROTH. Oh, I can not say as to that, Mr. President. It would meet my approval; but I can not say as to others.

Mr. CUMMINS. Has there been any dissent from the Democratic platform upon that point?

Mr. SHAFROTH. No; because the Democratic platform is rather indefinite, for it says, "when a stable government is established." The answer to that was that a stable government is there now; and, accordingly, you would have to turn the government over to the Filipinos to-morrow.

Mr. CUMMINS. I simply want to advise the Senator from Colorado that, if he would alter his course in any way, there are some Senators upon this side of the Chamber who would be very glad to join in a proposal of that kind or in legislation of that kind.

Mr. SHAFROTH. I think when the time for amendment arrives perhaps some kind of an agreement can be reached. Of course I joined in this report, and, consequently, I feel somewhat bound by it; but my individual feelings, as I expressed them in committee, were as I have indicated them to the Senator.

Mr. BORAH. Well, Mr. President, I am not going to interrupt the Senator again. I want to say, however, that my questions to the Senator might have indicated that I believed that a definite time should be fixed.

Mr. SHAFROTH. I did not so take them.

Mr. BORAH. I do not want to be so understood. I simply wanted to get the view of the committee.

Mr. SHAFROTH. President Wilson appointed to the position of Governor General Hon. Francis Burton Harrison, a man whose views in favor of the independence of the islands were well known, who in his inaugural address said:

The President of the United States has charged me to deliver to you the following message on behalf of the Government of our country:

"We regard ourselves as trustees, acting not for the advantage of the United States but for the benefit of the people of the Philippine Islands.

"Every step we take will be taken with a view to the ultimate independence of the islands and as a preparation for that independence; and we hope to move toward that end as rapidly as the safety and the permanent interests of the islands will permit. After each step taken experience will guide us to the next.

"The administration will take one step at once and will give to the native citizens of the islands a majority in the appointive commission, and thus in the upper as well as in the lower house of the legislature a majority representation will be secured to them.

"We do this in the confident hope and expectation that immediate proof will be given, in the action of the commission under the new arrangement, of the political capacity of those native citizens who have already come forward to represent and to lead their people in affairs."

Have not the Filipinos the right to construe that message as a promise of the administration to grant independence to them?

President Wilson, in a message to Congress delivered December 2, 1913, used this language:

"* * * But in the Philippines we must go further. We must hold steadily in view their ultimate independence, and we must move toward the time of that independence as steadily as the way can be cleared and the foundations thoughtfully and permanently laid. * * * By their counsel and experience, rather than by our own, we shall learn how best to serve them and how soon it will be possible and wise to withdraw our supervision. Let us once find the path and set out with firm and confident tread upon it, and we shall not wander from it or linger upon it.

It must be remembered that the people of the Philippines know no political parties in the United States; they take the words of the duly appointed and elected officers as those of the Government itself and not those of any political party.

I should like to call the attention of the Senator from Idaho to the quotation I am going to make from ex-President Roosevelt's declaration.

In the January, 1915, number of Everybody's Magazine ex-President Roosevelt indorsed this contention, and said:

If we act so that the natives understand us to have made a definite promise, then we should live up to that promise. The Philippines, from a military standpoint, are a source of weakness to us. The present administration has promised explicitly to let them go and by its action has rendered it difficult to hold them against any serious foreign foe. These being the circumstances, the islands should at an early moment be given their independence, without any guarantee whatever by us and without our retaining any foothold in them.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Colorado yield to the Senator from Idaho?

Mr. SHAFROTH. I yield to the Senator from Idaho.

Mr. BORAH. To what end and for what purpose does the Senator quote the statement of Col. Roosevelt?

Mr. SHAFROTH. I quote it for the purpose of showing that the Filipinos had a right to believe that these promises were made when ex-President Roosevelt said that if the Filipinos had understood them in that way it was our duty in good faith to carry them out.

Mr. BORAH. Precisely; but Col. Roosevelt says "if they have been given to so understand."

Mr. SHAFROTH. Yes.

Mr. BORAH. And then he goes further, and says the Democratic Party having made the pledge, it should keep it.

Mr. SHAFROTH. Yes.

Mr. BORAH. Of course, whether or not the Filipinos understand it is a matter about which we might differ.

Mr. SHAFROTH. Yes.

Mr. BORAH. But there is not any difference of opinion about the pledge the Senator's party made.

Mr. SHAFROTH. No.

Mr. BORAH. And upon that I understand Col. Roosevelt bases his declaration that you should live up to the pledge.

Mr. SHAFROTH. No. I think he bases it upon the declaration made by Gov. Gen. Harrison in his message to the legislature there and in the message delivered by President Wilson to the Congress of the United States in December, 1913. Those were explicit declarations of an intention to grant independence. Then Col. Roosevelt assumes in this that the Filipino people look upon the declarations of high officials of the Government as governmental promises, and that, if they had been led so to believe, independence should be given them immediately.

Mr. BORAH. Without any guaranty or looking after them whatever?

Mr. SHAFROTH. Yes, sir; without any guaranty or looking after them whatever.

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the junior Senator from Colorado yield to the senior Senator from Colorado?

Mr. SHAFROTH. I yield, Mr. President.

Mr. THOMAS. Mr. President, it seems to me—and I have been of this opinion for a long time—that all of the guaranties or pledges which have been given through the expressions of officials and of party declarations lack that certainty which they should have; that definiteness as to time of performance which would make it a binding promise susceptible of performance. The difficulty with the assurances that have been given is that for the most part they are conditioned upon performance, when in our opinion the Filipinos shall have reached that stage of moral and mental development that in our opinion justifies investing them with the right of self-government.

Now, that happy moral and intellectual condition may, in my opinion, have been reached; in the opinion of the Senator from Idaho it may be some years before the development will be sufficiently obvious to justify the discharge of our trusteeship, so called—and, of course, if we are trustees, we are trustees ex maleficio, and all trusteeships of that kind should be ended as soon as possible.

I think that this bill, or some bill to be enacted by the present Congress, should be so drawn as to fix some definite time, and that as soon as possible in the near future for the emancipation of those islands from the thralldom of the United States, whether they are fit for self-government or not. Of course, we concede—we must concede, because it is ours—that the form of government we desire to give them is the best of all forms of government. The Filipinos may not think so; they may desire, and the characteristics of the Filipino and the other tribes which inhabit those islands may be such as to justify, the imposition of some other form of government. Hence it seems to me that we are not exactly consistent in our views of the right of people to govern themselves when in our treatment of the Filipinos we give them promises of ultimate independence at such time as in our judgment they are fitted for self-government. Why not let them go? We must retain them as citizens, or we can not retain them at all without doing violence to our form of government, and I think it would be much better and much more in keeping with the spirit of these assurances and promises to say to them by legislation, "You shall after a certain date be given the right to govern yourselves as you please." That will end our responsibility, which ought never to have been undertaken.

Mr. SHAFROTH. Mr. President, I agree with the senior Senator from Colorado that it would be wise to fix a definite time; but the objection was made in the committee that if the United States were at war when the date fixed for independence had arrived there might be a condition of affairs that would get us into very serious complications. It seemed to be such a valid objection that after that time there was hardly any pressing of that suggestion.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. SHAFROTH. I do.

Mr. CUMMINS. You could provide for the contingency of the United States being at war by an exception in the bill, could you not?

Mr. SHAFROTH. Well, we might do that.

Mr. CUMMINS. Just one other question. If the Filipinos are capable of determining what kind of government they desire to have and were to determine it, that would be self-government, would it not?

Mr. SHAFROTH. I think so.

Mr. CUMMINS. Self-government, I take it, simply involves the privilege of those who are governed to determine how and by whom they shall be governed.

Mr. BORAH. Well, Mr. President—

The PRESIDING OFFICER. To whom does the Senator from Colorado yield? Does the Senator yield to the Senator from Idaho?

Mr. CUMMINS. I have finished.

Mr. SHAFROTH. Very well; I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, I want to see if I understand the Senator from Iowa. He does not take the position, I presume, that if 2 per cent or 4 per cent of the people of the Philippines should determine the kind of government they want that would be self-government of the people of the Philippine Islands?

Mr. CUMMINS. Oh, no; I take no such position as that. I am speaking of the Filipino people as a whole, and assuming that they exercise that privilege, if it may be called a privilege, as generally as we exercise the privilege of government here.

Mr. BORAH. I agree with the Senator, if that is the basis of his statement.

May I read a brief letter from Col. Roosevelt in connection with what the Senator from Colorado read a few moments ago?

Mr. SHAFROTH. Certainly; I have no objection.

Mr. BORAH. The letter is as follows:

NEW YORK CITY, December 4, 1914.

MANUEL QUEZON, Esq.,
House of Representatives, Washington, D. C.

MY DEAR MR. QUEZON: I thank you for your letter and appreciate it. You have put the case in a nutshell when you say that in view of the attitude of the present administration and of the American people in endorsing that administration, the proper course to follow now is "to grant the Filipinos their absolute independence without any responsibility on the part of the United States in guaranteeing such independence."

Sincerely, yours,

THEODORE ROOSEVELT.

Mr. KENYON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. SHAFROTH. I yield to the Senator from Iowa.

Mr. KENYON. The Senator from Colorado before the interruption took place was discussing the question which was suggested by his colleague [Mr. THOMAS] as to fixing a certain date for granting independence to the Filipinos. I do not know that the Senator remembers the fact, but he himself asked that question of Dean Worcester when he was before the committee, and he raised another objection to fixing a specific date further than the objection which the Senator has suggested. I would like to put that in the RECORD here, if the Senator does not object.

Mr. SHAFROTH. Very well; I should be glad to have it go in.

Mr. KENYON. The Senator from Colorado asked him that question.

Mr. SHAFROTH. Asked whom?

Mr. KENYON. Dean Worcester, who, of course, is a great authority in Philippine questions; and in answer to the question he said:

That is a pretty hard question to answer. If it were not that any promise we can make is subject to misrepresentation and misinterpretation, and may do more harm than good, I should believe in promising independence when the people were ready for it. This has one very great advantage, that it gives them a stimulus to better things. If we were to say, "You are going to have your independence in 1935," or at some other time, this stimulus is taken away. They would say, "Very well, we will establish our own kind of a government then," and would let down meanwhile. If they are kept on their good behavior, if they are, so to speak, under bonds to keep the peace, if they know they are under observation, the chance of their walking straight is very much better.

Mr. BORAH. May I say a word there?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. SHAFROTH. I yield to the Senator from Idaho.

Mr. BORAH. This statement of Mr. Worcester's embodies the real proposition, if I understand the situation correctly, which we contend for, and that is that these people have no conception of self-government. They simply have a conception of obedience to some superior power, and so long as that superior power is above them they will walk like a man in the presence of a policeman, but as soon as the policeman has departed from

his beat they will begin to do something else. That is precisely the position which Mr. Worcester takes in regard to it, and, instead of arguing for self-government, it proves conclusively, according to his own statement, that they are unfit for self-government.

Mr. SHAFROTH. I do not believe that Dean Worcester is in favor of ever giving them independence. I will state that to the Senator. I am convinced that, no matter what the conditions at any given time, according to his opinion they would be incapable of self-government. I believe that.

Mr. KENYON. What is suggested by the Senator from Idaho is true of a good many people, that they walk differently when in the presence of the policeman. [Laughter.]

Mr. SHAFROTH. The bill, which in the preamble promised independence to the Filipinos as soon as a stable government could be established in the islands, passed the House of Representatives in the last Congress by a vote of 31 to 1.

It may be that these promises, in the technical sense, are not legally binding on the Government, but they are morally binding. What do we think of the man who verbally agrees to a contract required by law to be in writing but who refuses to carry it out?

The Government authorizes the appointment of a Governor General for the very purpose of having him go to the islands and exercise his judgment as to what is best under the conditions prevailing. Such declarations made by such officials are regarded by the world as governmental promises. The people of the Philippine Islands have relied upon them as promises and have governed their action upon such confidence.

IS IT WISE FOR CONGRESS TO CONFIRM THE PROMISE?

Mr. President, some contend that if Congress promises independence to the Filipinos unless that result follows immediately they will become dissatisfied, and violence and insurrection may follow.

The difficulty in the situation is that they are alarmed now, because of the contention that no absolute promise of independence has been made, when they understood there was no question about it.

If what we understand as a promise has been made to us, do we not want it expressed clearly and by the proper authority? If it is indefinite, do we not want it specific? If the party refuses to make the promise more definite, do we not immediately have our suspicions that he is trying to evade his promise? Do we not then lose confidence in the promiser? Do we not know that if the promise of independence is stricken out of this bill the Filipinos will take that action as an expression upon the part of the United States that she does not intend to grant independence? Would we not so conclude if we were Filipinos? When people are deceived, is it not natural for them to resent the deception? Can we hope that they will be pleased or satisfied? Human nature is the same in the Filipinos as in the Americans, and the fulfillment of this promise will make much better conditions than will its repudiation. It would so affect us, it will so affect them.

The refusal, therefore, to confirm what they have understood to be a promise to grant independence will naturally make the Filipinos resentful, which may develop into open hostility. There may be no general revolt, for such unavailing action would undoubtedly retard the advance of their cause for many years. We ourselves have taught them that men should be willing to die for freedom. They will remember the Battle Hymn of the Republic, as we have sung it on many a field:

In the beauty of the lilies,
Christ was born across the sea,
With a glory in his bosom
That transfigures you and me;
As He died to make men holy,
Let us die to make men free.

Many Americans in the islands have been continually attempting to force an iron-hand policy upon these people, which all history teaches would produce discontent, disturbances, and even insurrection. Ex-Gov. Gen. Taft admits this in a speech on December 17, 1903. He said:

There are many Americans in these islands, possibly a majority, and this includes all the American press, who are strongly opposed to the doctrine of "The Philippines for the Filipinos." They have no patience with the policy of traction, no patience with attempts to conciliate the Filipino people, no patience with the introduction into the government as rapidly as their fitness justifies of the prominent Filipinos. They resent everything in the government that is not American. They insist that there is a necessity for a firm government here rather than a popular one, and that the welfare of Americans and American trade should be regarded as paramount.

The attitude of the American press and of the American merchant in his hostility to the Filipino and in the consequent hostility to the civil government was led into the error at one time of emphasizing in every possible way, by letters and representations of all sorts, that the condition of the country as to tranquillity was so bad that the whole of the islands was still in a state of war. Every small ladrone fight, every discomfiture which the constabulary suffered was exaggerated and made the basis for inference that the conditions in the

country were retrograding rather than improving. Such incidents were seized upon and made as much of as headlines and general statements could make them.

When one's feelings of enmity are very much aroused, it is difficult to set the limit to the expression of them. So it is that we have the young lions of the American press, of the three newspapers who are supposed to speak the American public opinion in these islands, holding the Filipino up to contempt, exposing all his supposed vices and giving him no credit whatever for any virtues, and it may be that this represents the feeling of the majority of the resident Americans in Manila. But can we not in the end be just and give to the whole Filipino people their due? Should we wish the Filipino people to judge of Americans by the drunken, truculent American loafers who infest the small towns of these islands, living on the fruits of the labor of Filipino women, and give us more trouble than any other element in the islands? Should we wish the Filipino people to judge of American standards of honesty by reading the humiliating list of American official and unofficial defaulters in these islands? I think not.

In view of such conditions, is it not plain why the Philippine people want the word "independence" placed in the preamble of this bill, and if we were Filipinos, would not we be anxious for that expression?

I am interested, as an American citizen, in the preservation of the fundamental principles of our Government, and I am as anxious, on that account, as any Filipino of seeing the word "independence" expressed in this measure. I want it so that in warlike times, when men dream of universal empire, the Congress of the United States will not be carried off its feet with a desire for colonial possessions, and forget the principles of liberty and freedom, which have made us the most equitable Government on the face of the earth. I want it there for the Filipino, so that in the future if an iron-hand policy should obtain the ascendancy in our Government, the Philippine Islands would not be ours to feel the effect of such policy.

DO THE PHILIPPINE PEOPLE WANT INDEPENDENCE?

It has been said that the Filipinos do not want independence; that they are satisfied with the government we have given them. There is nothing but the baldest assumption in that statement. That is the same contention every monarch makes as to his people who are protesting against being denied their rights. It must be remembered that King George III said the inhabitants of the Colonies were satisfied, except a few who were misled by their chiefs. Palliative measures as to human rights never satisfy. It is one of the traits of human nature that laws increasing the liberty of a people simply whet the appetite for absolute freedom.

It is absurd to assume that men who had the courage to defy the greatest nation on earth to be independent have lost that spirit which all peoples deserving freedom possess.

The test as to a people's desire for independence is in the sentiments that are expressed and the resolutions adopted at public meetings, in the platforms of political parties, and in the memorials and petitions of provincial, municipal, and legislative bodies. Almost the only question discussed at public meetings of Filipinos is that of independence, and the expressions are unanimously in favor of the same. Petitions for independence have repeatedly been presented to Congress by their citizens and by their provincial, municipal, and legislative bodies; no counter petitions by Filipinos have ever been presented.

When the general assembly was created in 1907 there were two political parties in the islands; one, called the National Party, was for immediate independence, the other, called the Federal (later Progressive) Party, was for statehood. Notwithstanding all the Americans and the officeholders, both American and native, were in sympathy with the Federal Party, it met with a crushing defeat at the first election for assemblymen, the National Party electing all but 15 of the 81 members. Now all the assemblymen are for immediate independence.

We sometimes hear it said by an American that an influential Filipino merchant told him in a private conversation that he did not favor independence, but that he dare not so publicly express himself. The very fact that they will not express publicly this opinion shows that the overwhelming sentiment of the people is against them.

Commissioner QUEZON, in his statement before the Senate Committee on the Philippines, said the sentiment of his people for independence was so strong that if he were to tell them they should not have independence he could not get followers anywhere from one end to the other of the archipelago.

The General Assembly of the Philippines, elected by the people, have time and again unanimously, by resolution, declared for independence. If there were any considerable number of people in the islands against independence, petitions and resolutions expressing such sentiment would soon find their way to the Congress of the United States. At all their public meetings banners are displayed declaring for independence and expressing laudatory sentiments in behalf of those who are prominent in the effort to obtain the same.

At nearly all the school exhibitions there is a speech or two in English pleading for independence. I attended several mass meetings held in honor of Commissioner QUEZON and Speaker Osmeña. The attendance at each was large and every reference to their work in behalf of independence received the hearty applause of the people. It is true that most of the Americans there are opposed to independence, but it can not be possible that this Government would keep the islands in the interest of 3,000 or 4,000 of our citizens outside of the officeholders and their dependents when practically all of the people to whom the islands belong desire independence. It seems to me that no one who has visited the islands can truthfully assert the people do not want independence.

After the passage of the Jones bill in October, 1914, the Philippine Commission and General Assembly, in joint session assembled, unanimously passed a resolution expressing to the House of Representatives of the United States their high appreciation of the passage of the Jones bill and requesting the same approval thereof by the President and Senate. How can anyone fairly maintain after the unanimous passage of that resolution that the Philippine people do not want independence?

But some, driven from their contention by such overwhelming evidence, say that the sentiment for independence is the result of the agitation of politicians and they slur at and denounce them as agitators. Why, Mr. President, Patrick Henry was an agitator. Thomas Jefferson and John Adams were agitators. Have we gotten to that pass, in order to sustain our action as to the Philippines, we denounce men who agitate for human rights? Agitation in a righteous cause is the highest form of patriotism.

WHAT IS OUR PHILANTHROPIC DUTY?

There are some who seem very much alarmed that we will not do our duty to the Philippine people if we withdraw our sovereignty from the islands now or at any time in the near future. They claim that Providence placed the islands in our custody as a trust, which we can not in equity surrender until it is clear to us that the Filipinos are capable of self-government.

As history demonstrates that most of the acts of usurpation were justified by monarchs on the ground that they were best for the people "whose necks they bestrode," so it is easy for a conquering nation to violate human rights under the plea that it is best for them. Let us not determine all these things from our standpoint, but let us place ourselves in the position of the Filipinos and do unto them as we would that they should do unto us.

Likewise there are some who seem to think that having undertaken the education of the Filipinos we can not stop at partial education, but must continue indefinitely until all are educated. Why, no one seems to give any good reason. If it were a charity, one might say it would be appropriate but not a duty. When one gives a contribution for charity it may be very appropriate for him to give another, but no one can fairly claim there is an obligation to do so or that he should be blamed for not doing it. If it is charity, it is a blessing no matter to what extent it goes. But it must be remembered that every cent for this education, including the cost of all school buildings, has been paid by the Philippine people in taxes upon their property in satisfaction of appropriations cheerfully made by the general assembly elected by the Filipinos. There is no likelihood, therefore, that such appropriations would cease or that education would stop. Even the Aguinaldo constitution of January 20, 1899, provided that "popular education shall be obligatory and gratuitous in the schools of the nation."

There is an intense desire for education upon the part of the Philippine children. There is no compulsory-education law in the islands, but 500,000 children are now attending public schools there and fully as many more would be in attendance if there were sufficient schoolhouses. In my recent trip to the islands I visited a number of schools, but never found any vacant rooms or unoccupied seats. At Jolo the Moro children were attending school in large numbers, and there was a demand for 60 more schools on that island. They were being taught in English, and a Moro boy delivered the address of welcome in our language.

Vice Governor Martin is the head of the department of public instruction in the Philippines, and before the Senate committee he confirmed that statement in the following declaration:

Senator SHAFFROTH. Is there seemingly a desire upon the part of the Filipinos to obtain an education?

Mr. MARTIN. The children are the most eager I have ever seen. * * * Some weeks ago I asked the director of education to take me to some of the night schools. It happened to be a very bad night. It rained. In fact, it poured. He took me to a large school building with two wings and with a driveway between them—a great open way where an automobile could drive through, perhaps two abreast—and as we approached the building I saw the driveway was crowded with people. The driver stopped, and the director got out and made a way,

so the automobile could be driven in under the shelter. I said to him, "What is all this mob here?" He said, "They are boys hoping that some of the boys who have been admitted will not be here and that they can get the vacant seats." * * * I have always been interested in the schools, and I have never seen any such interest at home in the schools as I have seen in the Philippine Islands.

Mr. William Morgan Shuster, for three years one of the commissioners of the Philippines, in his testimony before the Senate committee said:

I have seen them almost take the shirts off their backs to contribute money to schoolhouses and to the payment of school-teachers where there was no pressure whatever upon them to do so. I never knew a municipal council or a provincial board to refuse to give their last dollar for education, and I was superintendent of instruction there for years; that was my portfolio.

With such a strong desire and demand for education among the inhabitants, there is sure to be increased appropriations by the general assembly for school purposes, and the good work of education is certain to continue under a Philippine Republic.

EFFECT OF EDUCATING THE FILIPINOS.

Popular education is very essential to the citizenship of a Republic, because such education gives the ability in the electorate to correct the errors of legislators and to pass upon and determine what laws are best for the country. It is extended for the purpose of making the people self-governing. On the other hand, the monarchs see clearly that to educate the masses of their colonies is to educate them as to their rights, which is sure to breed discontent when they are governed without their consent. It is ordinarily by reason of the ignorance of the masses and the strong display of force that the colonies of monarchies are administered. Monarchies believe in educating the aristocracy and the well to do, but not the masses. When we inaugurated in the Philippines a system of popular education we sowed the seeds of equality of rights which must culminate in either independence or statehood.

The boy and girl of the Philippines can not read the history of the American Revolution without receiving the passionate ardor for liberty which inspired our own patriots in that momentous struggle. They can not read the self-evident truths of our own Declaration of Independence without applying them to themselves.

It was Abraham Lincoln who, referring to that immortal document, said:

All honor to Jefferson, to the man who, in the concrete pressure of a struggle for national independence by a single people, had the coolness, forecast, and sagacity to introduce into a merely revolutionary document an abstract truth applicable to all men and all times, and so to embalm it there that to-day, and in all coming days, it shall be a rebuke and a stumblingblock to the very harbingers of reappearing tyranny and oppression.

And again, in another speech, he said:

What constitutes the bulwark of our own liberty and independence? It is not our frowning battlements and our bristling seacoasts, the guns of our war steamers, or the strength of our gallant and disciplined Army. These are not our reliance against a resumption of tyranny in our fair land. * * * Our reliance is in the love of liberty which God has planted in our bosom. Our defense is in the preservation of the spirit which prizes liberty as the heritage of all men, in all lands, everywhere. Destroy this spirit, and you have planted the seeds of despotism around your own door.

It is impossible for the school children, the attendants of the colleges and universities, and the educated men of the islands to read such patriotic expressions without quickening the pulsations of their hearts, without infusing into their veins an intense love for liberty and independence.

The only way we can logically hold the Philippines against the will of their people is to repudiate the expressions of Jefferson and Lincoln and the spirit of our Government as expressed in the Declaration of Independence. When we have done that we will have changed our form of government; we will have entered upon a career for colonial empire; we will have brought about the very conditions which Abraham Lincoln so eloquently described.

ARE THE FILIPINOS CAPABLE OF SELF-GOVERNMENT?

Mr. President, some people who are opposed to Philippine independence often refer to photographs of natives in a seminude condition as examples of the Philippine civilization and ask if such beings are capable of self-government. Such pictures are exceptional and are usually of what are termed the uncivilized inhabitants, which in population bear no greater proportion to the Christian Filipinos than the American Indians did to the people of the Colonies at the time of the Revolutionary War. The census of 1903 gives the number of Christian people as 6,987,686 and the uncivilized population as 647,740.

The Christian Filipinos, constituting nine-tenths of the population of the islands, wear more clothes and have less exposure of the person than the people of any other tropical oriental country. That was the uncontradicted testimony before the Senate Committee on the Philippines, and in my recent trip to the islands, China, and Japan I repeatedly noticed the fact.

If the American standard of general intelligence is necessary, it may well be said that no other people in the world are capable of self-government.

It has not been many years since the monarchs thought that no people were capable of governing themselves. King George III thought that in establishing this Republic we had exchanged law and order for anarchy, whereas we had exchanged tyranny and oppression for freedom and liberty.

Of course, all countries, not excepting our own, have a considerable number of illiterate inhabitants, but these are not the people who conduct the affairs of government. The very purpose of holding elections is to select those who are intelligent and most capable of administering the duties of the offices. Ignorant people would never be selected for that purpose. No better illustrations of that truth can be found than in the results of the elections of legislators in the Philippine Islands since the creation of the general assembly in 1907. Not one of the ignorant or half-naked class, but men of a very high order were selected for this body. I believe the Philippine Assembly is the only legislative body in the world where every member is a graduate of a college or university. The electors have at least set the example to the nations of the earth of requiring such a high standard for lawmakers, some of whom are lawyers, doctors, college professors, merchants, farmers, and representatives of the laboring class, but all are college men. In visiting the southern islands I traveled for two weeks with a committee of the general assembly, consisting of the speaker, Mr. Osmeña, and 13 members. They were intelligent and dignified, and all were fine public speakers. Is it possible that men of such education and learning are incapable of enacting laws to govern themselves? What presumption it is in many citizens of our States to contend that such a body in the Philippines can not legislate wisely for its own people, but that the legislatures of our States, composed of not a third as many educated men, are fully capable of so doing. Only about 60 per cent of the members of our national Senate and House of Representatives have been graduated from a college or university. Would any of us like to be adjudged incapable of performing the duties of our office because some, or even many, of our constituents could not read or write?

The work of the general assembly has been creditable. Both Presidents Roosevelt and Taft have commended the conservative action of the legislators.

Gov. Gen. Harrison in October, 1914, said:

The past year has been one of progress and reform. The record of the first legislature in which Filipinos have been in complete majority is one in which all may well take pride. It is not my purpose to rehearse here all the accomplishments of the last session. Suffice it to say that they compare favorably with those of the most progressive States of the American Union.

Nor are the courses of their universities and colleges inconsiderable. I was told that the law course at the Santa Tomas University, at Manila, required seven years' study, of which two years were devoted to the Roman civil law and five years to the Spanish, English, and American law. There is no university in the United States that requires such long preparation. Santa Tomas University is older than our own Harvard.

In a speech I delivered in the House of Representatives 14 years ago, after a visit to the islands, I made this statement:

The general impression exists among many Americans that the Philippine people are savages. * * * When I find behind the prescription desks of the numerous drug stores of the islands, even when kept by Americans and Englishmen, Filipinos compounding medicines, taken from bottles labeled in Latin; when I see behind the counters of banks, having large capital, natives acting as bookkeepers and receiving and paying tellers; when I find them as merchants and clerks in almost all lines of business, as telegraph operators and ticket agents, conductors and engineers upon railroads, and as musicians rendering upon almost all instruments high-class music; when I am told that they alone make the observations and intricate calculations at the Manila Observatory, and that prior to the insurrection there were 2,100 schools in the islands and 5,000 students at the universities of Manila; when I find the better class living in good, substantial, and sometimes elegant houses, and many of them pursuing professional occupations, I can not but conclude that it is a base slander to compare these people to the Apaches or other American Indians. Even the civilizing test of Christianity is in their favor, as a greater proportion are members of the church than among our own people.

In my recent visit to the islands I found not only that the same conditions prevailed, but that there had been great advancement by the Filipinos, especially in occupations requiring technical knowledge.

The assistant director of education told me that in Manila alone there were more than 600 efficient native stenographers who could take dictation in either English or Spanish, and that there were thousands who daily did good work as typewriters.

Native electrical engineers, civil engineers, public accountants, architects, dentists, pharmacists, lithographers, and all of the professions have increased in large numbers.

The census of 1903 showed that of the males 21 years of age and over 32.2 per cent at that time could read and write Spanish, English, or some other language, and that 44.5 per cent over 10 years of age could read some language. Gen. McIntyre, before the Senate committee, estimated that now 50 per cent could either read or write some language; that census, containing very full statistics, was taken by 7,627 Filipino and 125 American canvassers.

According to the World Almanac of 1916, compiled from statistics furnished by the United States Census Bureau, illiteracy of all over 10 years of age prevails in the following countries in the appended percentage:

	Per cent.
Philippines.....	55.5
Portugal.....	68.9
Bolivia.....	82.9
Bulgaria.....	65.5
Argentina.....	54.4
Brazil.....	85.2
Chile.....	49.9
Greece.....	57.2
Guatemala.....	92.7
Russia.....	69.0
Roumania.....	60.6
Serbia.....	78.9
Spain.....	58.7

It must also be remembered that of the soldiers of the Revolutionary War more than one-half signed the roll mustering them out of the Army with a cross mark. Yet they were the constituents of those who established the most equitable government ever devised by man. The illiteracy of the Filipinos was taken from the last census of 1903; before they had received much benefit from the educational system of the islands; the percentage now would be much less.

Can anyone with fairness contend that Argentina, Brazil, Bolivia, and Chile are incapable of self-government, although they do have such a high percentage of illiteracy? Are we to say that Russia, Roumania, Bulgaria, Portugal, Spain, and Greece should not be independent? Yet they have a much larger percentage of illiteracy than the Philippines?

There are in the islands 538 American and 9,396 native school-teachers, instructing the children in all the branches of education in English. How many of our teachers could conduct all the classes in the various grades of our schools in a foreign language? Of course they could learn to do this, but it would take work and ability. Why not concede that the Filipino teachers are civilized and possess education and ability which fit them for citizenship in any country? The Filipinos have a considerable native press in both daily and weekly papers.

There are now in the classified service of the Philippine Government 1,987 Americans and 7,394 Filipino officers. These were appointed under civil-service examinations. Is there any suggestion that these Filipinos are incapable or do not discharge their duties as faithfully and as well as the Americans? Would they not be equally as capable and as efficient under a government of their own?

The chief justice of the Supreme Court of the Philippines is a native, as are also two other members of that court, all of whom are recognized as able and learned judges.

Of the judges of the courts of the first instance 22 are Filipinos and 14 are Americans.

The municipal courts are presided over almost entirely by Filipinos.

The attorney general and nearly all his staff are Filipinos. Of the nine commissioners, who now constitute the upper house of the legislature, five are natives and four are Americans.

Is it possible that these capable, efficient native officers, as soon as their appointment or election is provided for by their own government, would become incapable or inefficient?

The Philippine people for many years have been electing the governors of their Provinces. Has there been any contention that the governors selected were not good and capable men, or that their administration did not compare favorably with those of similar officers anywhere?

They have been electing their municipal officers ever since civil government was established. Has anyone even suggested that the mode of selection be changed? I venture the assertion that their municipal officers have given better satisfaction to their electors than ours have to us.

Practically all of the officers and employees of both the provincial and municipal governments are Filipinos.

As it is the interest in and love for the family which causes the father, even in lowly circumstances, to do far better for his children than more enlightened and wealthy people to whom they might be apprenticed would do for them, so it is that the interest and love of a people for their country and each other will produce ordinarily far better government than the rule of an alien race.

It was Henry Clay who said it was impossible for him to conceive of a people who were incapable of self-government.

John Hay, in his preface to *Castilian Days*, wrote:

There are those who think the Spaniards are not fit for freedom. I believe that no people are fit for anything else.

The Philippine people are capable of self-government because they have a deep interest in their country and great love for her and possess a large highly educated class, thoroughly identified with the best interests of the islands, who under the educational qualification now prescribed by law will be elected to legislate and administer the affairs of government.

The Filipino people are not nomadic. They do not live in tents or caves and rove for their subsistence; they live in houses and have farms which they cultivate. They own nearly all the real estate of the islands; only 6 per cent are renters. They love their homes. Their children are a pleasure to them, and the devotion of children to their parents continues through life. They are generous to their relatives; they will share with them their household and divide with them the last morsel of their food. Pauperism is almost unknown. According to the last census only 1,668 paupers were a public charge. They are honest, industrious, and moral. Such men if left alone are sure to work out a splendid destiny for their country.

It was Alfred Noyes who wrote:

Who are the empire builders? They
Whose desperate arrogance demands
A self-reflecting power to sway
A hundred little selfless lands?
Lord God of battles, ere we bow
To these and to their soulless lust,
Let fall thy thunders on us now
And strike us equal to the dust.
But be that to his home is true,
Where'er the tides of power may flow,
Has built a kingdom great and new
Which Time nor Fate shall overthrow.
These are the empire builders; these
Annex where none shall say them nay,
Beyond the world's uncharted seas,
Realms that can never pass away.

FILIPINOS NOT INCLINED TO INSURRECTION.

Why do men assert that if independence is granted to the Filipinos they will act as the people of some of the Latin American Republics in fomenting revolutions? Is there any evidence upon which to base such a conclusion? Are we going to assume that they are incapable of acting for their best interests? Are we going to deprive them of human rights, declared by us to be inalienable, upon a mere guess? While some of the Central and South American Republics have been revolutionary, many of them have not had insurrections for many decades. I am confident that as a whole the Spanish American Republics have had better government and their people are happier and more prosperous than they ever were under Spanish sovereignty. The Spanish population of the Philippines is too small to assume leadership there.

The Filipinos are not of the same temperament or even of the same race as the inhabitants of those Republics. The evidence is overwhelming that they are a quiet, peaceable, forbearing, law-abiding people, not inclined to insurrection. The fact that only one revolution of any magnitude against Spanish oppression took place in 300 years demonstrates their peaceful nature.

Gen. Frank McIntyre, Chief of the Bureau of Insular Affairs, who has had large experience in the Philippines, in his testimony before the Senate committee clearly showed this fact:

Senator SHAFROTH. I want to ask you a question in reference to the nature and character of the Filipino people. Have they any of the elements of a good many of the Latin American Republics tending toward revolution and insurrection?

Gen. MCINTYRE. Well, we can judge that by the record; for the 300 years that they were under Spain the Filipinos had, we might say, no revolution.

Senator SHAFROTH. They submitted to law and order, did they?

Gen. MCINTYRE. They submitted to law and order.

Senator SHAFROTH. Even if the orders were somewhat tyrannical?

Gen. MCINTYRE. That was generally the case. The insurrection of 1896 was the most serious insurrection, and, of course, we met the continuation of that.

Senator SHAFROTH. Well, in the conduct of the average Filipino individual, is he hard to manage?

Gen. MCINTYRE. Not at all; very easy.

Senator SHAFROTH. He obeys orders, does he?

Gen. MCINTYRE. He obeys orders; and they are a people that are taught, and have been taught for ages, and it is well inculcated in them, to respect authority, and the exceptions to that are limited.

Since the provincial governors, municipal officers, and assemblymen have been elected by the people there has been no indication of a resort to violence, either during the election or over the result.

Much is made in the hearings before the Senate Committee on the Philippines of the fact that only 235,000 out of a population of 8,000,000 voted for assemblymen, but when you take into con-

sideration that the law does not permit a man to vote unless he possesses a certain amount of property or can read or write the English or Spanish language, you can readily see why the number is so small. When the qualification is extended to those who can read and write their native language it is estimated that between 700,000 and 950,000 will vote. That contention, therefore, is no argument against their want of desire to vote, but is an illustration of how harsh is the law which requires them to read or write a foreign language before they can vote. Suppose our laws should prescribe that no one could vote who could not read or write a certain foreign language, how many votes would be cast in this country? The Filipinos are eager to exercise the elective franchise. The fact that 95 per cent of those who are registered vote demonstrates that assertion. In the last election there 235,786 voted out of a total registration of 248,154. In no State in the Union does such large percentage of electors vote. In Colorado 83 per cent of the men and 80 per cent of the women vote.

The estimate of the cost of the Philippines to the United States, including the expense of suppressing the insurrection, has varied from \$600,000,000 to nothing. If you count as part of that cost the necessity for a larger Army and Navy to be ready to defend the islands, so often argued when the bills making appropriations therefor were before Congress, the cost would exceed the highest estimate.

It is absurd to say that the maintenance of our sovereignty in the islands costs us nothing. The fortifications at the entrance to Manila Bay, on the Island of Corregidor, Carabao, Fraile, and Cabanos have already cost \$12,000,000, and if the fortifications are completed they will cost \$22,000,000. On Corregidor alone we maintain 4,000 American troops. Gen. McIntyre has testified that we have reduced the number of American soldiers in the islands, but that there are still 12,000 men, besides three or four thousand native scouts in the service of the United States. Ex-President Taft, who was Secretary of War in 1906, in an article in the Saturday Evening Post of June 5, 1915, said:

Our regular military establishment in 1906, with 60,000 effective men, cost us \$72,000,000.

That is \$1,200 a year for each soldier. The cost for those in the Philippines is more, on account of distance to transport, limitation of service, greater pay in the Tropics, and higher cost of subsistence. In reply to a Senate resolution, the Secretary of War reported that the cost of the Army of the Philippines to May 1, 1902, was \$169,853,572; from May 1, 1902, to June 30, 1907, \$114,515,155.

Mr. THOMAS. Mr. President, I should like to ask my colleague a question.

The PRESIDING OFFICER. Does the Senator from Colorado yield to his colleague?

Mr. SHAFROTH. I yield.

Mr. THOMAS. Do the figures which have been given show any balance? In other words, are they subject to any deduction either from taxation or revenues from any other source?

Mr. SHAFROTH. Oh, no, Mr. President; the cost of maintaining civil government there is paid out of the revenues of the Philippine Islands. They have various sources of revenues there, but all that money goes to the maintenance of the Philippine civil government. These figures are not subject to any deduction. These are estimates made by the Secretary of War.

Mr. STERLING. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from South Dakota?

Mr. SHAFROTH. I yield.

Mr. STERLING. I should like to ask the Senator from Colorado if the entire expense of running the civil government is not derived from that source?

Mr. SHAFROTH. Oh, yes; there is no doubt about that. The civil government, including their school system, is being maintained now by taxation upon the Philippine property and customs dues, which are collected, and formerly by export duties which they imposed upon some of their products.

Mr. KENYON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. SHAFROTH. I yield to the Senator from Iowa.

Mr. KENYON. I am interested in knowing, and possibly the Senator knows, the entire expense to the United States in acquiring and keeping the Philippine Islands up to the present time.

Mr. SHAFROTH. There are many who contend it is from \$600,000,000 to \$1,000,000,000, but there are many who say, "Well, we would have our soldiers anyway, and they are just stationed over there, and consequently they cost nothing more." That is the theory upon which some of the estimates are based.

I have not the statistics from the 30th of June, 1907, to the present time, but I imagine the cost is about \$26,000,000 a year.

Mr. KENYON. As to the entire cost of acquiring the Philippine Islands and maintaining law and order and carrying them on to this time, has the Senator any estimate or any notion in his mind as to what it amounts to?

Mr. SHAFROTH. No, I can not tell; but it is about \$300,000,000 or \$400,000,000.

Mr. KENYON. Senator Hoar said in this Chamber on the 22d of May, 1902:

The conflict in the Philippines has cost you \$600,000,000, thousands of American soldiers—the flower of your youth—the health and sanity of thousands more, and hundreds of thousands of Filipinos slain.

Senator Hoar was rather a conservative man, but I assume those figures must be rather high.

Mr. SHAFROTH. They are not high if you take into consideration the increased cost that followed the Spanish-American War, because every increase of appropriations for the Army and Navy was largely justified by the fact that we held these possessions so far away, and it took a large Navy and a large Army in order to sustain our sovereignty there.

Mr. KENYON. There was very great expense in the conflict there when we were shooting civilization into the Philippines.

Mr. SHAFROTH. Yes, sir; that is one of the conditions; and if Senator Hoar's estimate were carried out to the present time, taking into consideration all that he claimed, with the indirect expenditure, it would no doubt be double the amount which he named, although it has annually been decreasing.

Mr. CLAPP. Mr. President—

Mr. KENYON. I was only speaking with the courtesy of the Senator from Colorado. Probably it is a safe, conservative estimate, then, that the United States has spent something like \$800,000,000 in acquiring and governing and subjugating the Philippine Islands up to this time.

Mr. SHAFROTH. Directly and indirectly, I should think so.

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to his colleague?

Mr. SHAFROTH. I yield.

Mr. THOMAS. I merely rose to suggest that my understanding of the Senator's figures just stated have reference to the cost of maintenance as distinguished from the cost of acquisition.

Mr. SHAFROTH. No; it includes acquisition.

Mr. THOMAS. Then there is great disparity between the estimate of Senator Hoar in 1902 and the estimate of the Senator from Colorado as derived from the reports of the War Department up to 1907.

Mr. SHAFROTH. But the War Department did not count any of the enlargements; it only counted the cost of the soldiers who were actually there, figured upon a basis of so much per soldier and the amount of supplies that were shipped there and not any Navy increase. Senator Hoar's statement included indirectly the increase of the Army and the increase of the Navy, and he charged it all up to the fact that it was made necessary by the acquisition of the Philippine Islands.

Mr. McCUMBER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. SHAFROTH. I yield.

Mr. McCUMBER. Does the Senator take into consideration the additional cost it has been to this country in entering upon a system of a much larger Navy and possibly a larger Army in order to protect the possessions of a foreign people in another section of the world, how much this adds annually to our budget?

Mr. SHAFROTH. It does unquestionably; and those matters were taken into consideration by Senator Hoar when he made his statement.

Mr. CLAPP. Mr. President—

Mr. SHAFROTH. I yield to the Senator from Minnesota.

Mr. CLAPP. The Senator from North Dakota practically offered the suggestion I rose to offer. Of course, neither Senator Hoar nor any other man on earth could ascertain exactly what it has cost us to acquire and hold the Philippine Islands. I believe Senator Hoar's figures were far under rather than above the actual amount. As the Senator from North Dakota has suggested, from that day to this, and from now to the end of this Republic, if we retain the islands the fact that the islands are in our jurisdiction will be a reason rather than a cause for expenditures beyond the power of any man to calculate. They are vague and indefinite. They have been made and are made to-day and will be made to-morrow the reason for expenditures that are absolutely unnecessary.

Mr. SHAFROTH. I have no doubt the Senator's statement is correct.

Mr. VARDAMAN. Mr. President—

Mr. SHAFROTH. I yield to the Senator from Mississippi.

Mr. VARDAMAN. I have listened with a great deal of interest to the very exhaustive statement of this question by the Senator from Colorado, but I was called from the Chamber, and I do not know whether he discussed this phase of the question or not. Has the Senator any data on the question as to what extent the lands, the resources of the Philippine Islands have been exploited by American citizens? Have investments been made there, and to what extent have the great opportunities been seized which a great many enterprising American citizens thought they would have when the islands were acquired?

Mr. SHAFROTH. They have unquestionably invested considerable money in the Philippine Islands, not so much as was expected, but there are several very large enterprises in the Philippine Islands, and that is one of the sources from which objection comes for Philippine independence.

Mr. VARDAMAN. I rather thought so.

Mr. SHAFROTH. They fear they will not have the protection which the United States Government will give them, and therefore they are unwilling to surrender the islands, but insist that we shall hold them perpetually to be a colony of the United States.

Mr. VARDAMAN. Does the Senator know the extent of such investments there?

Mr. SHAFROTH. I do not. They were encouraged to go there, and naturally it would tend to develop the islands. I do not think there has been any tabulation as to the exact amount. At least I have seen none.

The Jones bill last year estimated the annual cost to the United States there was \$26,000,000 a year.

Suppose it is \$24,000,000 a year, and that is a moderate estimate, can we ever hope to be reimbursed for that outlay? No one has ever suggested taxation of the Philippine people for that purpose. It would be futile, even if it were suggested, as they are poor and for years ran behind in maintaining their civil government. Are the people of the United States willing to expend \$24,000,000 a year forever unless some great benefit, direct or incidental, will be received?

It is said, however, that great benefits to our commerce will result. Let us examine that contention and see if it is sound.

The imports from the United States to the Philippines during the year 1914 amounted to \$24,020,395. The profit made in the export trade by our merchants, on the average, does not exceed 10 per cent, after paying freight and insurance. Hence the profit to our commerce does not exceed \$2,402,039 a year. But who gets the profit? Does the Government, which expends at least \$24,000,000 a year to maintain our sovereignty there? Oh, no; the Government does not get a penny of it; the merchant adds it to his own fortune. It is contended, however, that our exports to the islands will increase. No doubt they will. But suppose they double, treble, or quadruple, and it would take many years to quadruple our trade, the profits to the merchants could not even then exceed \$10,000,000 a year, while the cost to the Government would continue at \$24,000,000, and if we had any disturbances over there it might double or treble that sum. How long will the Government be willing to expend \$24,000,000 a year in order to give a profit to some one else of half that amount? What an absurdity in trade economics.

Mr. CLAPP. Mr. President—

Mr. SHAFROTH. I yield to the Senator from Minnesota.

Mr. CLAPP. The Senator's argument would indicate that it was in the mind of some one at least, not of himself, that we can only retain our trade with the Filipinos under the cloak of the sovereignty of the Philippines. If that is true, it strikes me that it is a criticism which of itself is only the suggestion of further sovereignty over any alien race.

Mr. SHAFROTH. I believe, Mr. President, that the Filipinos would deal with us much better if we were to give them their independence.

Mr. CLAPP. Of course they would.

Mr. SHAFROTH. Much better than if we were to hold them with an iron hand in subjection. I believe that men are grateful in this world.

If we give to the Filipinos their independence, it will not diminish our exports to them. A grateful people will always give the preference to their benefactors, other things being nearly equal. The boycott is never started against those who deal in a spirit of friendship. It is the weapon of resentment. If the Philippine people should feel that the promises of independence which they understood were made to them had been

violated, is there not infinitely more reason for a boycott against our products than if we gave them their independence?

It seems to me clear that we can not increase our trade nearly so much by governing the islands without their consent as by giving them that for which their hearts yearn, namely, their liberty and independence. Cuba's trade with us is several times greater than it ever was before its independence.

MANILA CAN NEVER BECOME DISTRIBUTING PORT FOR ORIENT.

To contend that Manila can become the distributing port for the commerce of the Orient is to deny the axiom that the shortest distance between two points is a straight line. Those who make such predictions ignore the fact that the shortest distance from the United States to Manila is by the course nearest to a straight line in navigation, namely, by the arc of the great circle which goes near the great Japanese and Chinese ports before Manila is reached. The freight rate now is \$4 per ton more from San Francisco to Manila than to Chinese and Japanese ports. To expect that merchant vessels which always take the short course to carry their cargoes by the oriental ports to Manila and then unload and reship to China and Japan is to indulge in a dream that will never be realized. You might as well expect that England could make one of the Bermuda Islands the distributing point for her commerce with the United States. She realized this principle when she acquired Hongkong, an island at the entrance to Pearl River, and made it a free port and when she obtained a concession in the city of Shanghai, near the mouth of the Yangtze River, the great artery of commerce for the Chinese Empire. Hongkong and Shanghai are the natural points for the transfer of freight from ocean vessels to river boats, whereas Manila is 640 miles from the nearest Chinese port. We have a concession at Shanghai, and for distribution to China of the commerce of the United States it is worth infinitely more than any port we have in the Philippine Islands.

THE ISLANDS OF NO VALUE TO AMERICAN FARMERS AND WORKMEN.

The islands, though rich for the Filipinos, are of no value for purposes of settlement by our people. It is not a white man's country. The heat of the tropical sun is too great for manual labor in the fields by men reared in the Temperate Zone. We have occupied the islands for 16 years, yet there are practically no American tillers of the soil there except a colony of 56 ex-soldiers who married Filipino women. The Philippine government about two years ago agreed, if they would take up homesteads on public lands, that it would lend to each \$1,000 with which to make improvements. They located their homesteads in Mindanao, near Camp Keithly, on very high ground, where the heat will not sap their vitality. They are doing very well. Outside of this one settlement, there are practically no Americans farming there. The islands, therefore, can never be of value to our people for purposes of settlement.

American workmen in the Philippines can not compete with the natives because of the low wages prevailing there.

Now, I wish to discuss for a few minutes the situation from a military viewpoint.

Mr. NEWLANDS. Mr. President—

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. SHAFROTH. I yield to the Senator from Nevada.

Mr. NEWLANDS. Before the Senator takes up a new point I should like to ask whether he thinks if we should withdraw from the islands now the Filipinos are sufficiently well organized to conduct a government of their own and to maintain peace and order there, and whether they have sufficiently a common language to enable them to communicate with each other upon matters of general interest?

Mr. SHAFROTH. Mr. President, it is true there are different dialects, but not more so than I have observed among the peoples of European countries. The Filipinos can understand each other and have almost as free intercourse as do the people of European countries.

As to when independence should be granted, I want it granted just as soon as we can within a time which, in my judgment, would be sufficient to have the affairs of government turned over to them, probably retaining the Governor General for a while, afterwards putting in a native Governor General and providing that, after six months' or a year's time those people should be given their entire independence, provided that the President felt that they were maintaining their government in a stable form. I believe in their independence; I believe in giving it to them just as quickly as they can exercise the duties of government, and not after the manner of one who desires to hold back the declaration of independence.

Mr. NEWLANDS. Mr. President, I entirely agree with the Senator from Colorado in the view that we should withdraw

from the islands immediately, if possible, and I have no doubt at all that it would be to our interest to withdraw; but we are also considering the interests of the Filipino people. When I was there, some 10 years ago, as a member of a party headed by Mr. Taft, my observation at that time was that there was a great variety of language—not simply a variety of dialects, but a variety of language—and that there was no common language. I recall upon one occasion, when Mr. Taft was making a speech—one of singular nobility of sentiment, one which ought to have aroused the enthusiasm of his auditors, some 5,000 or 10,000 people—there was no response, although his speech was interpreted by the secretary of the commission, who was an accomplished Spanish scholar. His voice was strong and loud and could be heard to the utmost limits of the crowd. I remarked to a provincial judge, an American, who sat next to me, that I was amazed that there was no response. His reply was that the audience there could understand neither English nor Spanish. I became convinced at that time that there was not such a common language there as would enable them to exchange ideas, and that in order to conduct government, and particularly a democratic government, in which the people are to think and act, it would be necessary at least to have a common language.

Of course I understand that education has extended since that time, and training in the English language, but I should very much doubt whether that training has reached the extent that it would give them a common language. Has the Senator from Colorado been in the Philippine Islands recently?

Mr. SHAFROTH. Yes, sir; I was there last summer.

Mr. NEWLANDS. What is the Senator's observation with respect to that?

Mr. SHAFROTH. My observation with respect to the matter was this: It happened that there was a committee of the General Assembly of the Philippine Islands that was to visit the southern islands. I went with that committee, consisting of Speaker Osmeña and 13 of the representatives. Public meetings were held at which speeches were made in English and Spanish and Visayan. There are two dialects which are spoken by, I should say, three-fourths of the people of the Philippine Islands. Those are the Visayan and the Tagalog. They generally called upon members of the party I was with to make some expression. Whenever we said anything in English we could find an appreciable response in the audience; without any question whatever many could understand, and they would applaud. When Mr. Osmeña and Mr. QUEZON spoke there was recognition immediately of what they said.

Mr. NEWLANDS. Are there any statistics as to the number of people who can speak the English language in the islands? Of course, they rely upon that, I imagine, as the common language.

Mr. SHAFROTH. They are pursuing the study of English to a greater extent than any other language, because it is being taught in all the schools. Whenever you go to a school, or when you want to get information, if you go to the young people on the streets you can get it, and get it in English, but the Spanish Government never wanted, or seemingly never wanted, their language extended. They did not establish schools among the masses. There were a good many schools there, but they were not established for the purpose of studying the Spanish language. Spanish was the language of the merchant; it was the language of the trader and used in the conduct of court affairs. The American Government is the only one that has attempted to introduce a language among the great masses of those people. The fact that 9,000 Filipino teachers are teaching the various grades of schools in the English language is evidence to my mind that enormous progress has been made in that respect.

Mr. NEWLANDS. I want to ask the Senator another question, if he will permit me. Assuming that in the interest of the Filipino people it would not be wise for us to withdraw and immediately turn over the government of the islands to the Filipinos, does not the Senator think that we are making too rapid an advance in giving the Filipino people control immediately of their upper house? As I understand, under the pending measure the Governor General will have the appointment of only 2 out of 24 members of the upper house, while now he has the appointment of all the members of the upper house. Would it not be better, if this process of training the Filipinos in government is to be a gradual process, and if our preparations for withdrawal are gradual, to at first simply increase gradually in the upper chamber the number of representatives that the people themselves are to elect, reserving for some considerable time the majority control? The Senator speaks of "intelligent legislation" on the part of the lower house, but I am sure that in the early sessions of that body there were some very foolish and absurd performances, which I fear would be emulated unless some larger control is exercised.

Of course the Senator from Colorado will understand that I fully realize the beneficent character of the administration of those islands. I think it has been wonderfully conducted. I think that Mr. Taft's greatest work was the work that he accomplished in this building up gradually of local self-government in the Philippines, and I believe that he deserves the highest commendation for the splendid spirit that animated him throughout; yet when I was there the apparent hopelessness of their making a substantial democracy of those islands oppressed me; and whilst I was eager to withdraw, I felt that immediately upon our withdrawal, even if we should withdraw within a hundred years, at the expiration of the hundred years the result of our withdrawal would be a chaotic condition of the islands themselves.

Mr. SHAFROTH. Oh, well, probably the result is that the Senator does not believe in withdrawing at all.

Mr. NEWLANDS. I do not say that. On the contrary, I am rather inclined to think that we should protect our own interests and withdraw, whether that withdrawal shall result beneficially to the Philippine people or not. I am for legislation for America first.

Mr. SHAFROTH. Yes; that, it seems to me, is a very strong position; but when the Senator talks about delays, he should put himself somewhat in the position of the Filipino. The Filipino has now waited 17 years. How much longer is he to wait? Is he to wait 100 years, when you can not say that he will be prepared for independence? Is it possible that we are, on the mere question of a guess, to prevent those people from having the rights which our own Government, in its Declaration of Independence, says are "inalienable rights"? It will take several years yet to transform that government into a republic; it can not be done immediately, no matter what our desire may be that it should be done immediately.

Mr. McCUMBER. Mr. President—

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. SHAFROTH. I yield to the Senator.

Mr. McCUMBER. Before the Senator from Colorado proceeds with the next phase of his discussion, I should like a little information along this line: I believe that the American incentive for holding the Philippines is a fear that if we now leave them to their own independence they will probably be taken possession of by some powerful autocratic government, and all of the labors that we have expended upon them would be lost. My own view is that we could secure an agreement of all of the great nations of the world, if we set forth to do so, to maintain the independence of the Filipino government. Has the Senator from Colorado thought of that matter, and has he any information to give us on that subject? I am satisfied that the American people would be very glad to give independence to the Philippine people to-day if they felt sure that they would not fall into the hands of some other powerful government.

Mr. SHAFROTH. Mr. President, in answer to the Senator's question, I will say that I also visited Japan. That is the only country that I have heard suggested as likely to take the Philippine Islands. I looked at the question with a view to ascertaining whether there was a belligerent feeling in Japan. I must say that I found nothing but the friendliest feeling there. I found, further, that there was an uneasy feeling at the time of the acquisition of the Philippine Islands, a fear that it was an act of aggression upon our part for the acquisition of more territory in the Orient; but that since the policy has been almost reversed, since it has become known that our intentions there were benevolent, there has been a tendency the other way. The Japanese Government feels almost exactly with respect to the Orient as we feel with respect to the Western Hemisphere. Let a European power or any other great power come to this continent, and we immediately feel alarm. When not long ago one of Japan's battleships was stuck in the mud off the coast of California, immediately the newspapers stated that the Japanese were trying to establish a naval base there. Senators will remember the news articles and editorials that were published and the alarm that then existed among the American people; and it was not until two other battleships went there and pulled her out and she sailed away that they were relieved of their apprehensions. Japan, as I have said, feels as to the Orient exactly as we feel in regard to the Western Hemisphere. Every movement that is made there in the way of acquisition of territory is something that she looks on with a jealous eye; and she did have a feeling, I have no doubt, hostile somewhat to the American people when this policy of acquisition prevailed some 15 or 16 years ago, but she has made no effort to get the Philippines. Only 3,000 Japanese are in the Philippine Islands to-day. She has a right to send her people there, but she never has done so; and the reason is that they are not used to a

tropical climate, and very high wages must prevail to induce them to go into a tropical country. However, if Japan had any intention of seizing those islands, I imagine many more of her people would have gone there.

Mr. McCUMBER. Mr. President, right here let me say that, while we look with jealous eye on any other government obtaining any further territorial rights on this hemisphere, that fact did not prevent us from taking possession of Hawaii; did not prevent us from getting hold of Porto Rico; did not prevent us from acquiring a sort of protectorate over Cuba, and getting as much control as possible over all the territory which we thought it might be to our advantage to hold in case of war with another nation. Why might not Japan, although jealous of any foreign power getting a foothold along the Asiatic borders or in the western Pacific Ocean, nevertheless have a desire to strengthen herself by getting possession of such territory as would enable her to keep off all foreign countries? I am not sure that she would not be actuated by the same sentiments that have actuated the American people.

Mr. SHAFROTH. Well, that is possible, but, as I have said, there is no movement toward that end. Three thousand Japanese have gone to the Philippine Islands, while 70,000 Chinese are there. The Japanese are a very small fraction of the population in the Philippine Islands and they have shown no tendency to go there now; but if there were any intention on the part of Japan to acquire them, then there would unquestionably be some emigration from Japan to those islands. The truth is, the Japanese do not thrive in the Tropics; and the Philippines are in the Tropics. Some Japanese have gone to Hawaii, but the climate of Hawaii is entirely different from that of the Philippines, and Hawaii is much farther north. For all these reasons it seems to me there will be no attempt upon the part of Japan to seize the Philippine Islands.

Now, I should like to take up the question from the military viewpoint for a few moments, and then close.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him there?

Mr. SHAFROTH. Certainly.

Mr. GALLINGER. The Senator is very familiar with the situation and condition in those islands and I am not; but is it really an argument that because only 3,000 Japanese are in the Philippine Islands to-day when they are under the protection of the United States, after we do give them their freedom and our protection is practically withdrawn, Japan would not then feel like taking possession of those islands?

Mr. SHAFROTH. Oh, it is possible. I really believe that the proper solution of this matter is to try to get an international agreement to respect the neutrality of those islands, and I have not any doubt that Japan would join in such an agreement.

Mr. GALLINGER. That would be a very desirable thing, if it could be done.

Mr. SHAFROTH. It would be a very desirable thing; but the people of the Philippines are not asking that the protection of the United States be extended to them.

Why not let the Filipinos decide that for themselves? The American people did not seek a protectorate in France when they attained their independence. No nation that has ever obtained self-government has ever been willing that its sovereignty should be impaired in the slightest. Protectorates and suzerainties have too often proved dangerous by forming the excuse for seizure and subjugation.

I believe in an honest effort by this Government to obtain an agreement with the leading nations of the world to guarantee the neutralization of the islands, but if that can not be done, I would not withhold independence from them. They are willing to take independence without a protectorate, and as they run the risk why not let them have it?

Commissioner QUEZON, in his testimony before the Senate Committee on the Philippines, gave the best answer to such objection in the following language:

We do not want any protectorate if we get independence. You would not want it, because it would be unfair and unjust to the United States; and we would not, because protection can never be afforded without impairment of the absolute freedom of the protected States, and we are more concerned about the substance of freedom than about the word independence. If we are going to have independence, we want real independence and not merely nominal independence.

Mr. QUEZON represents the Filipinos and knows their desires as expressed in innumerable resolutions of citizens, organizations, and official bodies. His answer in behalf of his people ought to be conclusive to us.

Mr. VARDAMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Mississippi?

Mr. SHAFROTH. I yield.

Mr. VARDAMAN. With the Senator's permission, I should like to suggest to him that the passage of this bill would not preclude any effort on the part of this Government to bring about an international agreement to protect the integrity and autonomy of the Philippine Islands, but the passage of this bill would forward a movement of that kind, would it not?

Mr. SHAFROTH. I think so. I have introduced a resolution asking the President of the United States to enter into such negotiations, and I hope after this bill passes to get some action upon it during this Congress. I am satisfied that the leading nations of the world would readily join in such an agreement of neutrality.

Mr. KENYON. Mr. President—

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. SHAFROTH. I yield to the Senator from Iowa.

Mr. KENYON. Before the Senator leaves that subject, I want to ask him this question: It was the testimony before our committee of very eminent citizens of the Republic that in their view as soon as our troops left the Philippine Islands the people of the islands would be—I think this was the expression—"at each other's throats." That is a consideration that has troubled me a great deal. I am not in favor of trying to force our Government upon some other people who may not want it. Suppose it happens that we withdraw from the islands, as the Senator suggests, in a couple of years, and then those people fly at each other's throats, so that there is a condition there similar to that prevailing in Mexico; can we sit back then and say, "We are done; we are free of this burden, and there is no moral responsibility of any kind upon us"?

Mr. SHAFROTH. That is a condition which is presented to them. They have a highly educated class there who believe that it is better for them to run that risk than not to have independence; and when we say "if you are willing, take it," the responsibility is no longer ours, in my judgment; but I want to say to the Senator that all these predictions up to this time have proved absolutely false. The prediction was made that if the American troops were withdrawn from Mindanao the people would begin to get at each other's throats immediately; but they have been withdrawn for more than two years, leaving nothing but Filipino scouts, and there have not been any riots or insurrections or anything that might be claimed even to partake of the nature of an insurrection.

Mr. KENYON. I agree with the Senator that if we withdraw from the islands we ought to go out bag and baggage and be done, letting them work out their own salvation, without any moral responsibility upon us, if we can avoid it.

Mr. SHAFROTH. Now, Mr. President, I want to view this matter for a few moments from the military standpoint.

Mr. SHERMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Illinois?

Mr. SHAFROTH. I do.

Mr. SHERMAN. Before the Senator leaves the branch of the discussion he has been pursuing, as he has just said that there has been no riot in the Philippines in the last two years, I will ask him to listen to the following press report, dated the 6th day of February, 1915:

FILIPINO ADMITS SEDITION—RUFINO VICENTE, ONE OF THE ACCUSED LEADERS, PLEADS GUILTY.

MANILA, P. I., February 6.

Rufino Vicente, one of the leaders accused of instigating the Filipino raid on the governmental offices at Navotas Christmas eve, pleaded guilty on trial here on the charge of sedition. Other Filipinos held on the same charge pleaded not guilty.

The public prosecutor asserts that the government will prove that the movement was widely organized, and that documentary evidence shows that the rising was directed as much against the Filipino politicians now holding public office as it was against the American officials. The trial of the natives arrested in connection with the rising attempted in Manila and its environs December 24 is pending. These men are to be tried on the charge of brigandage.

Mr. SHAFROTH. Mr. President, I will state to the Senator what I know about that. There was a meeting of some cooks of various restaurants and hotels who assembled at the botanical gardens, which are between the Hotel Manila and the center of the town. No one was hurt. There was some violent language used. Gov. Gen. Harrison told me that he drove through that crowd at the time they were assembled and did not know it was an insurrection. It was such a calm, quiet, undemonstrative gathering that the Governor General drove right through the crowd without knowing that it was anything but an assemblage of people upon some political matters. I want to say further that nearly everything that comes from Manila has a certain tinge to it, just as ex-President Taft said was the case in his day. I want to read you a paragraph from

an address by him to show you just what interpretation has been put by the American press on affairs over there. He says:

The attitude of the American press and of the American merchant in hostility to the Filipinos, and in consequent hostility to the civil government, has led them into the error of emphasizing in every possible way, by letter and representations of all sorts, that the conditions of the country as to tranquillity were so bad that the whole of the islands were still in a state of war. Every little lachrymose fight, every discomfiture which the constabulary suffered, was exaggerated and made the basis for inferences that the conditions in the country were retrograding rather than improving. Such incidents were seized upon and made as much of as headlines and general statements could make them.

The same kind of statements, rumors, and reports are sent out now against the Governor General that were sent out against ex-President Taft when he was trying to establish law and order, and he so stated in Manila on the occasion when he delivered his address.

Now, I will state, Mr. President, that there has been a report by the Governor General as to the so-called insurrection or difficulty or mass meeting, or what not, referred to by the Senator from Illinois. No guns were fired; very few, if any, of the people were armed; and the report was to the effect that it amounted practically to nothing and did not disturb the government over there in the slightest.

Mr. SHERMAN. Mr. President, I am asking for information, not in order to take up time.

Mr. SHAFROTH. I will be glad to give such information to the Senator as I can.

Mr. SHERMAN. On January 23, 1915, about a year ago, from Manila came the following press note. Possibly the Senator has some information about what became of this prisoner:

PHILIPPINE REBEL TO DIE—GOVERNOR GENERAL REJECTS PLEA TO SPARE INSURGENT LEADER.

MANILA, P. I., January 23.

Gov. Gen. Francis Burton Harrison, in an order to-day, directed that Gen. Noriel, the insurgent leader, who is one of the most prominent natives of the province of Cavite, be put to death next Wednesday. The execution originally was set for January 12, but Judge Revilla, a native jurist, issued a stay.

Influential Filipinos exerted every effort on behalf of Gen. Noriel, but Gov. Harrison directed that the death sentence be carried out. A pending measure abolishing capital punishment offers the only hope for Noriel.

Does the Senator know what became of this unfortunate gentleman?

Mr. SHAFROTH. No; but I do know that there was a man who had headquarters in Hongkong, with a few agents in the Philippine Islands, who would go to some of the ignorant Filipinos and say to them, "For ₱5 I will give you a commission as captain; for ₱10 I will give you a commission as colonel; for ₱20 I will give you a commission as general." It was a means of extracting money from the people, but never resulted in an insurrection, though a great fuss was made about the fact that generals and colonels and majors and captains were taking part in this, that, or the other movement. That amounted practically to nothing. The Governor General tried to stop it. He did, I presume, have some persons arrested who had participated in the fraud, more for the purpose of protecting the Filipinos against deception than for any dangers that might arise to the Government there.

Mr. SHERMAN. Mr. President, does the Senator know what became of this particular offender?

Mr. SHAFROTH. No; I do not know; but I have not heard of anyone being executed there. I can not say with any degree of certainty as to that.

Now, Mr. President, I want to say a few words upon this question from the military standpoint.

FROM THE MILITARY STANDPOINT.

It is the consensus of opinion of those who are best informed upon such subjects that solidarity of territory is the most invulnerable form of possession.

It was Mr. Gladstone who said:

The United States have a national base for the greatest continuous empire ever established by man. * * * The distinction between a continuous empire and one severed and dispersed over the seas is vital.

When we annex permanently the Philippine Islands we make them targets for the attack of any foreign power with which we may engage in war. Why will they attack us there instead of on the mainland? Because the islands are 7,000 miles from our base of supplies. Every mile of such a distance increases the difficulty of defense in almost a geometrical ratio. When we declared war against Spain we did not attack her on home territory. If we had done so, it would have taken ten times as many men and ten times as many battleships to have accomplished the same result. We fought her in her outlying possessions, 3,000 and 13,000 miles from her base of supplies. The fact that Spain has lost one after another of her possessions in

the Western Hemisphere shows how difficult it is to maintain a war so far from home territory.

It was Mr. Frederic Harrison, an eminent English writer, who so vigorously showed the weakness of the Crown colonies of the British Empire in this language:

But an aggregate of dependencies which is forever disturbed and menaced and forever awaiting or forestalling attack, which contributes nothing to the home government in money or men or resources of any kind, is not a strength, but an increasing weakness. It must pull down the strongest race that ever trod the earth, and as it pulls them down it will hurry them from one crime to another.

The coast line of the many islands of the Philippines is greater than that of the entire Atlantic and Pacific shores of the United States. Those islands being the natural points of attack of our enemies must be fortified, if we determine to hold them against foreign aggression. To properly fortify even the more important cities will require hundreds of millions of dollars. Are we willing to make such expenditures when many of our own cities are defenseless?

The Philippines, being our weakest places of resistance, will necessarily in time of war cause us to concentrate our battleships there for a great struggle, leaving relatively unprotected many of our important cities.

Prof. Robert M. Johnston, of Harvard University, a lecturer at the War College at Washington, D. C., used this language relative to the Philippines in his recent work entitled "Arms and the Race":

It is a weak, eccentric military position, fundamentally indefensible against any strong trans-Pacific power, but inevitably a magnet to draw ships and troops away from our shores. A popular clamor might result at any time in a weak administration sending the battle fleet to Manila.

It was Lord Macaulay who so vigorously denied the military advantage of colonies in these words:

There are some who assert that from a military and political point of view the West Indies are of great importance to this country. This is a common but a monstrous misrepresentation. We venture to say that colonial empire has been one of the greatest curses of modern Europe. What nation has it ever strengthened? What nation has it ever enriched? What has been the fruits? Wars of frequent occurrence and immense cost, fettered trade, lavish expenditure, clashing jurisdiction, corruption in governments, and indigence among the people.

Those curses are the very things our great Republic should avoid. It should set its seal of disapproval of conquest and colonial empire by giving to a liberty-loving people their right to independence.

The oriental powers have always looked with alarm upon the seizure of the Philippines by the United States, fearing that it might lead to other acquisitions in the Eastern Hemisphere. Japan naturally feels as to the Orient as we do to the Western Hemisphere. Independence of a small State in Central or South America did not give us the least concern nor create the desire to seize it because it was small and weak, but the attempt of a powerful nation to acquire any territory in the Western Hemisphere has always caused the greatest uneasiness to us. We were very much alarmed a short time ago when it was suspected that Japan was about to establish a naval base on Lower California. Is it not natural that Japan should view with apprehension the seizure and retention of islands so close to her possessions by a powerful nation? It would remove all suspicions if we granted the independence of the islands. Occupancy by an independent government would not be threatening to her. The holding of the islands, therefore, is a perpetual irritation to Japan, and will be the underlying cause of war if we have a contest at arms with her.

Why jeopardize the peace and quiet of our great Republic, when by this act of right and justice we can attach to us a grateful people and remove the main cause of dissatisfaction and jealousy upon the part of the great eastern nation?

Some of the best military experts of our Government, believing it would be impossible for us to defend the Philippines against any nation having large armies and an efficient navy, have said that in case of war our best policy would be not to attempt to defend the islands, but to rely upon the outcome of the war to recover them. All seem to concede that under any circumstances the attack of the enemy would be made there, consequently the loss and destruction would occur there. What a gloomy outlook to the inhabitants of the islands, of death, devastation, and destruction to their fair land. No wonder the Philippine people feel they had rather take the chances as an independent nation of avoiding war through diplomacy of its own officers than to run the risk of invasion by any nation that might get into a conflict with us. As the complications of the Philippine Government with other nations would be far less than those of the United States, their danger of invasion would be less.

A great many small nations for hundreds of years, through diplomacy, have maintained their independence. In fact, most

of those that lost their independence did so by reason of being drawn into the maelstrom of conflicts of great nations.

As the Philippine people are the ones most vitally affected, their determination that they want independence should be conclusive.

CONCLUSION.

Mr. President, let us grant to this people the right to govern their own country. It is right and it is also expedient, both for them and for us. It will be a marked example to all the land-grabbing empires of the world of real altruism. It will teach the warring countries of Europe that civilization demands liberal treatment of their colonial possessions. It will impress upon the minds of all peoples that conquest is nothing less than criminal aggression, which in the end will not pay. It will remove the suspicion of the Republics of South and Central America that the United States has designs upon their territory, and will create a friendship which will produce lasting peace and prosperity for the entire continent, and thereby stimulate our commerce and intercourse with them. It will remove the cause for war upon the part of any oriental country, and produce harmony and cordial relations instead of distrust and enmity, which will increase our trade with the far eastern nations. It will inspire every American with pride that the ideals of liberty and freedom, for which our forefathers fought and died, and which resulted in the creation of the greatest Nation in the world, are still cherished by our people; that these patriots of old shall not have lived and died in vain. It will preserve the principles of our Government and thereby save us from the fate of imperialism, which has befallen so many Republics. It will, in these warlike times, make men turn from the horrors of strife and approve the doctrine of "peace on earth, good will toward men." It will so adjust conditions that the only Christian people of the Orient will become the leaders in the movement there in behalf of human rights. It will establish in the Orient, where human liberty is least respected, a new republic dedicated, as ours, to the rights of mankind. It will have a modifying influence upon all monarchies in behalf of a more liberal form of government. It will instill into the Filipinos an ambition to work out their own destiny, and education and learning will attain still greater heights. It will grapple those people to us with hooks of steel and make them in all future ages rise up and call us blessed.

Mr. GALLINGER. Mr. President, I have a very illuminating letter on this subject written from Manila a short time ago by Hon. RICHARD W. AUSTIN, a Member of the other House of Congress, he having visited the islands, and I ask unanimous consent to place it in the RECORD without reading.

The PRESIDING OFFICER (Mr. WALSH in the chair). The Senator from New Hampshire asks unanimous consent that the letter referred to by him may be placed in the RECORD. Is there objection?

Mr. HITCHCOCK. May I understand what it is?

Mr. GALLINGER. It is a letter written from Manila a short time ago by Hon. RICHARD W. AUSTIN, a Member of the other House of Congress, he having visited the Philippine Islands, Japan, and China. It is full of interesting matter, figures of imports and exports, and all that sort of thing. While from glancing over it I may say that there are some things in it to which I do not agree, yet it occurs to me that it might be a valuable contribution to this discussion.

Mr. HITCHCOCK. Does it constitute in any way an attack on the Philippine government?

Mr. GALLINGER. Not at all.

Mr. HITCHCOCK. It is not a criticism?

Mr. GALLINGER. It is not a criticism.

The PRESIDING OFFICER. If there is no objection, the request of the Senator from New Hampshire will be granted. The Chair hears none.

The matter referred to is as follows:

AMERICA'S DUTY IN THE PHILIPPINES.

MANILA, P. I.

Congress not being in session, I decided to spend the vacation in visiting our possessions in the Pacific—the Hawaiian and Philippine Islands and Guam and also a journey into China and Japan. After four months in the Orient, I have decided to write down some of my observations and conclusions, hoping the same will receive careful consideration by my fellow Americans in the States. In this period I have covered over 20,000 miles and spent a portion of four months in the cities of Honolulu, Manila, Nagasaki, Yokohama, Tokyo, Kyoto, Osaka, Kobe, Shanghai, Nanking, Hankow, Wuchang, and Peking. Have visited many industrial plants in China and Japan, and in Peking had an interview with the great President of the new Republic, Gen. Yuan Shih Kai, and also met some of the members of his cabinet.

I am going to write first about the Philippines and later take up the Hawaiian Islands, China, and Japan. I found in the Philippines depression in business, general dissatisfaction on the part of the business element, and a condition of doubt and uncertainty as to the future, and unanimous sentiment among Americans of the nonofficeholding ele-

ment and Europeans against the governmental policy of the Wilson administration as being carried out by Gov. Harrison, under instructions from Washington. Trained, competent, and experienced Americans have been summarily dismissed from a service their energy, ability, and unceasing devotion had made a success, and their places, when filled given to a few "good Democrats" from the States, but largely to inexperienced Filipinos.

Many of these men who have been displaced came to the Islands carrying guns in their hands in order to aid the immortal Dewey in finishing his work of redeeming the islands from Spanish misrule. Later on these men rendered valiant service in defeating the insurrection against the United States led by Aguinaldo. They helped put the Spaniards out of the islands, helped put down a local rebellion, and now, after having faithfully served the United States Government in war and in peace, they are unceremoniously kicked out, and their places largely given to those who were indorsed by Filipino politicians, some of whom held commissions in the revolutionary army. At the time this was done the natives were holding not less than 71 per cent of the government positions in the islands. I found the Spanish-American veterans, and there are several thousand in the islands with a number of their posts or organizations, justly indignant at this unfair treatment of their former comrades in arms.

The present administration is the first to introduce politics in the selection of appointees, though two or three Democrats preceded Mr. Harrison in the Governor General's office. In going over the matter with a prominent Democratic attorney in Manila, he expressed the opinion that a majority of those who had been appointed under previous administrations were of Democratic faith, and in the selections made, character, fitness, and ability to do the work had been the only consideration. The splendid achievements accomplished in the islands since the American occupation are the best proof of the wisdom of such a policy. But Gov. Harrison served many years in Congress from New York City, and hence was brought up in the Tammany school of politics, which teaches and practices the Jacksonian theory, "to the victors belong the spoils," even at the expense of maintaining the best, the most progressive government in all the Orient, and one from which Tammany could learn much to the advantage of the taxpayers of New York City.

There is, perhaps, another reason why the new governor should follow such a policy. He has publicly stated his indebtedness to MANUEL QUEZON for the position he now holds. QUEZON is one of the Commissioners from the islands to the American Congress, is very much in politics, and naturally anxious to place as many of his partisans on the Government pay roll as possible. Having served in the revolutionary army against the United States, we can imagine he is not shedding tears when the political guillotine decapitates former American soldiers in the interest of his political supporters or former comrades in the Filipino revolution. Such a Wilsonian policy may delight the Manila politicians, but I doubt if it will appeal to the sense of fairness of the American people who have always believed in fair and honorable treatment of those who have bravely and patriotically come to the Nation's aid in times of stress and storm.

The Americans whose courage and fidelity contributed to the establishment of our sovereignty in the islands, whose energy and capital have been freely used in developing the mining, commercial, and manufacturing interests of the Philippines, and who are amongst the largest taxpayers have no voice in the Government, no influence with the present administration, are not consulted, and are, in fact, absolutely ignored. One noticeable effect of such a policy is shown in the action of the commanding general in not permitting the band to play America's national anthem—the Star Spangled Banner—on the Luneta, or public park. He very properly declines to give the natives opportunity to continue to show their disrespect in refusing or neglecting to salute our flag.

HOW PROGRESS IS HALTED.

Now, what has injured business? What is holding up progress? What is delaying development and keeping prosperity out of sight in the Philippines—the richest undeveloped country on the shores of the great Pacific? The true answer is the Jones bill—the attempt in Congress to carry out the foolish and unpatriotic teaching of William Jennings Bryan to turn the islands adrift without guide or compass; to turn 8,000,000 people, 90 per cent of the adults illiterate, and 1,000,000 wild, over for the time being to the political firm of Quezon, Osmeña & Co. to try out their kindergarten governmental notions and pipe dreams of a great national Philippine Republic until they are taken over by Japan and relegated to the vassal class along with Korea and Formosa. In that event the Filipinos would not only lose all voice in their government, but the very name of their country would be changed, as in the case of Korea and Formosa, and a Japanese name substituted. For 10 days I industriously interviewed Americans in all walks of life, and engaged in every line of human endeavor, Democrats, Republicans, Progressives, soldiers, sailors, civil officials, merchants, professional men, lawyers, physicians, clergymen, editors, bankers, clerks, policemen, scouts and constabulary officials, etc., and upon my honor not a single one, and mark you a majority of them have been in the islands for more than 10 years, many 15 and 16 years, thought the natives prepared, able, or strong enough to maintain law and order, and continue the excellent government created and maintained under American guidance, supervision, and control.

I quote the following from one of those interviewed: "If the United States should withdraw, it would result in a duplication of the situation and conditions in Mexico, Haiti, and San Domingo multiplied many times over." A native government would be powerless to control and govern the many tribes, with 15 or 16 different dialects, pagan, heathen, and Christian, warlike and savage, with bitter and long-standing grievances between them, a million out of total of 8,000,000 non-Christians, wild and uncivilized, and of the 7,000,000 Christians less than 10 per cent of the adults educated. In addition to these serious and complicated local problems, without the aid of the United States, the natives would be wholly unable to protect and defend themselves from without—from foreign selfishness, covetousness, and aggrandizement.

The total government income is less than the cost of a single up-to-date battleship. This means that an army and navy for defensive purposes would be impossible. The Manila native editors and politicians who shout "independence" night and day are so simple that they believe the people of the United States will tax themselves till "Kingdom come" to maintain an army and navy in the Philippines for the benefit and protection of a people whose selfish politicians insist upon severing American control and setting up for themselves. Every intelligent American and European engaged in business in the islands—and I do not hesitate to include the Chinese merchants, who control \$160,000,000 of the \$267,000,000 wholesale and retail trade—knows and realizes that so long as they have American protection their lives and

business interests are absolutely safe, and in the event our flag should come down and another flag of the so-called Philippine Republic appear, it would mean confusion, chaos, and, in a very short time, ruin, pure and simple.

So long as there is doubt and uncertainty as to whether the United States or the Manila politicians are to govern there will be stagnation in business—a suspension of growth and development—so long will capital be timid and men refuse to develop the resources of the islands, build factories, and continue the marvelous work so auspiciously begun and continued during the administrations of Govs. Taft, Wright, Ide, Smith, Forbes, and Gilbert.

BRYANISM IN THE PHILIPPINES.

Ex-Secretary Bryan, three years ago at Baltimore, committed the Democratic Party and the present administration to the folly of turning the Philippine Islands adrift. In his first campaign against McKinley, Mr. Bryan declared the best thing for America was "free silver." Had his advice been followed, would it have blessed or cursed our country? There is only one answer. The defeat of free silver and the abolition of slavery are two of our greatest blessings, and the names of Lincoln and McKinley will always be remembered in connection with these two great deeds.

Dr. Bryan, in his second campaign against President McKinley, had another prescription for the American people labeled "Anti-Imperialism," or turn the Philippines and other island possessions loose. On that, as on the free-silver issue, he was overwhelmingly defeated, and the people at the ballot box decided to retain the Philippine and Hawaiian Islands, Porto Rico, and Guam. After this decision, our Government went forward in spending millions in constructing fortifications—\$12,000,000 in the bay of Manila, Army posts and barracks, transporting troops to and from the Philippines for 15 years, and in many ways improving the islands from a military and naval standpoint. Counting this cost, the \$20,000,000 originally paid Spain, and the amount necessary to capture and expel the soldiers of Spain and crush the incipient Filipino revolution, we have taken from the National Treasury—the people's money—countless millions in the nature of our country's investment in the islands.

The pending proposition—the Jones bill—the Bryan idea—is to throw this immense investment away—present it first to the noisy, selfish, and ungrateful Filipino politicians, and later to Japan, an unfriendly nation and a strong military and commercial rival in the Pacific. The latter would fully develop the islands, and the wealth they would bring, with Japan's other aggrandizements in the Orient, would easily enable that ambitious nation to drive our commerce out of the Orient—the region of the world's greatest future commercial and industrial development—the great awakening of 500,000,000 people to modern or western ways, methods, and civilization.

The American people having decreed in 1900 that they would retain the Philippines as a part of the United States, several thousands of our citizens who obeyed the country's call in going to Dewey's aid and later in putting down the rebellion led by Aguinaldo, decided to remain in the islands, make it their home, and engage in business, which they had a perfect right to do. Last year there were 207 Americans in the wholesale business in the islands, 371 in the retail trade, and the amount of their annual joint sales was \$17,777,330. These Americans had invested last year \$3,695,377 in manufacturing lines. If we add the additional amount in new railroads, street-car lines, public utilities, sawmills, sugar plantations, mining, and other operations, the sum total will run high up into the millions.

A majority of these men have been from 10 to 15 years in creating, building up, and extending their business enterprises. In many cases all they possess is invested in their business and in their new homes, and along with it many of the best years of their lives. Would it be just, would it be honorable in the American people to abandon seven or eight thousand fellow Americans in the Philippines, cause them to lose their all, haul down their flag—the one they fought to raise over the islands—withdraw the Army, and turn them over to be absolutely governed by the very men they defeated in the trenches around Manila and at the end of that long, cruel guerilla war inaugurated and prosecuted by a so-called Philippine Republic which gave abundant evidence in its maladministration and conclusively proved, by its official records left behind, that it was unworthy of the name it bore and utterly incapable of wisely governing either white or brown men?

I can not believe the American people will, when the issue is brought home to them, commit such an unjust, unpatriotic, such a contemptible, cowardly act as to betray, desert, and abandon the splendid American men and women who have made good in the Philippines, have upheld high American ideals and principles in this far-away land in the Orient.

Three years ago the apostle of free silver, Mr. Bryan, materially aided in writing the platform upon which President Wilson was elected, receiving 1,300,000 less votes than the combined Taft and Roosevelt vote. The Democratic platform carried a plank favoring "an immediate declaration by Congress of our intention to give the Philippines independence"—or, in other words, turn them adrift—but securing their neutralization. Since that declaration was made, we have witnessed the destruction of Belgium by Germany, one of the nations which signed the treaty guaranteeing the neutrality of Belgium. The United States, the Filipinos, and the rest of the world have at last learned that neutrality treaties are absolutely worthless—without force or effect, and devoid of protection.

Following close upon the violation of the Belgium neutrality treaty, the world has witnessed the action of Japan, taking advantage of China's defenseless condition, demanding and by threats securing, invaluable rights and privileges, which action was in violation of a joint treaty, signed by Japan, agreeing to aid in upholding the territorial integrity of her nearest neighbor, China, and its open-door commercial policy. If China's 450,000,000 people and Belgium's 8,000,000 brave, prosperous, and highly enlightened inhabitants were powerless to have neutrality treaties respected and enforced, what would become of the poor, weak, and defenseless Filipinos, with annual government receipts of less than \$17,000,000, and a million—or one-eighth of its population—made up of wild and ignorant tribesmen, many of whom, prior to American occupation, were head hunters and even now practice penance, or slavery?

Had Mr. Bryan defeated President McKinley on the "anti-imperial" issue in 1900, the United States would have abandoned the Philippine Islands 15 years ago. Had the Bryan advice been followed, the world would not have witnessed the marvelous changes wrought in the islands under the inspiration and guidance of the splendid patriotic men connected with the military and nonpartisan civil governments sent out by Presidents McKinley, Roosevelt, and Taft.

BRIEF RECORD OF 15 YEARS OF CONSTRUCTIVE WORK IN PHILIPPINES.

Now let's note what good fortune, great blessings, fell to the lot of the Filipinos in not being turned adrift 15 years ago as advocated by Mr. Bryan—by not severing their relations with the people of the United States—by remaining beneath the Stars and Stripes: Free speech; free press; religious liberty; law and order; protection of life and property.

Increase of railroad mileage from 122 to 611 miles.

A much-needed, safe, sound, and satisfactory currency system, the equal of the best in the Orient.

The coming of numerous missionaries, with the establishment of new churches, schools, and free hospitals.

An expenditure for improved health conditions, sanitation, fighting deadly diseases, building modern hospitals of \$9,630,000.

The expenditures of the United States Government of more than \$15,000,000 for fortifying the islands and providing barracks, Army posts, etc.

Four thousand four hundred miles of well-built roads, better than can be found in a majority of the States, and 1,300 miles of cart roads and trails in the mountain districts or Provinces.

An expenditure of \$21,376,000 in the interest of education, including modern school and university buildings. The number of children in attendance showed an increase of 360,000—tuition and textbooks free.

Sanitary improvements, sewerage, pure water supply, banishment of cholera, plague, and smallpox. Construction of new waterworks for Manila and 800 artesian wells for towns and rural districts, reduction of death rate, etc.

Dredging of harbors, building of breakwaters, construction of wharves, lighthouses, telegraph and telephone lines, and the establishment of coast steamship lines, hundreds of new post offices, and a modern postal system, under which postal receipts have grown in 15 years from \$484,960 to \$1,072,684 per annum, and, in the same time, money orders from \$1,526,310 to \$8,272,858 per year.

Consider the amount paid out for labor and local material, higher and better wages than ever known in the islands—\$15,000,000 on fortifications, military defenses; \$7,000,000 for harbor improvements; \$6,100,000 constructing good roads; \$750,000 for lighthouses; millions on new railroads, street-car lines, government, provincial, and municipal buildings, water and sewerage systems, schoolhouses, hotels, hospitals, telegraph and telephone lines, the opening and operation of lumber camps, sugar plantations, and gold mines, the building of manufacturing plants, modern business and private houses, and finally the creation of the beautiful summer capital at Baguio, located in the mountains of Luzon and one of the wonders resulting from the coming of progressive Americans.

An examination of the record covering the island's exports and imports at the time when Mr. Bryan first declared in favor of surrendering or giving them up is interesting. Then the Philippines sold to the world produce, etc., to the value of \$14,640,162. Last year (1914) they sold \$48,089,634, an increase of \$34,049,472. The record covering imports—the people's purchasing power abroad, for the same periods, shows \$13,116,567, as against \$48,588,653, or an increase of \$35,472,086. In 1904 we sold in cotton goods to the islands, \$278,106, and last year (1914) the sales were \$5,826,333. For 1913 and 1914, the last 2 years, the amount was \$12,911,000, and if we annually average last year's sale, \$5,826,333, for the next 10 years, which we will do and even better, if the islands are retained, our total sale of cotton goods for the 10-year period will reach \$58,263,330, and our total sales to the islands covering the same period would be \$253,881,926. The past 16 years we have sold in the islands goods to the value of \$145,315,503. The Filipinos sold and bought abroad from all countries in 1899 a total of \$27,756,729, while last year (1914) this total increased to \$97,278,287, a difference of \$69,521,558.

From the time of our taking over Porto Rico, the Hawaiian, and the Philippine Islands up to December 30, 1914, they have purchased from the American business men goods to the value of \$760,773,785. In proportion to size and population, they are the best, the most valuable customers we have to-day. Is it to our interest to give them, or any one of them, up—surrender our trade and legislative control over them to some other authority or power? If the American business men, exporters, and manufacturers wish to retain this desirable trade, they should take the subject up at once with their Senators and Congressmen, for this question will be determined at the coming session of Congress in the consideration of final action upon the Jones bill.

HAVE FILIPINOS BEEN UNFAIRLY TREATED?

Now, as to the claim that the Philippines need independence and have been unfairly treated in the distribution of the offices. More than 71 per cent of the government positions were filled by natives when Gov. Harrison took charge, and since the wholesale removal of Americans under the present administration to make room for Filipinos the latter's percentage of officeholding has greatly increased. The entire membership—81—of the lower house of the assembly, or congress, is composed of natives, and at the present time the upper house is made up of five natives and four Americans.

In addition to the native officeholders mentioned as being in the government service and in the assembly, there should be added the village, town, city, and provincial elective and appointive officers and 10,000 members of the native scouts and constabulary.

When the Spanish were in control there were perhaps 10 or 12 Filipinos who served as justice of the peace, their highest rank in the judicial office-holding line. Now all the justices of the peace are Filipinos on yearly salaries running from \$300 to \$1,800, except those who serve as ex officio. Three of the seven members of the supreme court, half of the district judges, half of the judges at large, and half of the land-court judges are natives. The attorney general and seven assistants are Filipinos. The prosecuting attorney and the city attorney of Manila are to the manner born. It is hardly necessary to state that the two Resident Commissioners representing the islands in Washington are natives.

In the matter of salaries, a Filipino justice of the peace in Manila now draws a salary of \$1,800 per annum, more than the Spanish paid the prosecuting attorneys and judges. There are native judges now being paid annual salaries of \$4,500, \$5,000, \$5,500, and \$10,000, which is in excess of those paid for like service throughout the United States. There are Filipinos serving on the commission who draw \$15,500 annually; the speaker of the assembly is paid \$8,000; while Messrs. QUEZON and EARNSHAW draw more money out of the United States Treasury than their colleagues in Congress, on account of the great amount of mileage (about \$3,991.60), which, added to their individual salary of \$7,500 each, makes a total of \$11,491.60, and as travel on a Government transport is only a dollar a day, this would leave a net balance of \$11,281.

But why prolong the story of how the poor downtrodden people of the Philippine Islands have suffered, have been ground down, had oppression inflicted upon them, their wives, and children since the invasion, occupation, and control by the cruel American tyrants? What the Filipinos have gained in improvements of every kind and character—rapid and substantial advancement along the pathway of good government, moral, intellectual, and industrial development during the past 15 years, in spite of Mr. Bryan's advice—if fully enumerated would fill two good-sized volumes, and this has been faithfully and accurately done by the Hon. Dean C. Worcester, who, with President Taft, Gov. Forbes, associates and coworkers, should live forever in the grateful memory of every man, woman, and child in the islands. If their great works and noble deeds are not remembered, then the Filipinos are utterly hopeless.

SHOULD UNITED STATES RETAIN ISLANDS?

Now, let's consider the question whether it is to the interests of the United States to retain the islands—whether we should keep them or withdraw the Army and Navy, wipe off our losses, and let the Filipinos sink or swim. The great majority of the men in and out of Congress who favor surrendering the Philippines do so for two reasons, namely: On the alleged ground that "they will always be a great expense, an unprofitable investment, to the United States," and, secondly, "they are now and will for all time be a menace to us." The answer to the first excuse is: The islands are paying their own way, so far as meeting the expenses of running the municipal local and general governments is concerned. The only expense now borne by the American Government is incident to the presence of our soldiers in the islands. This expense can be greatly lessened, if not practically wiped out, in time by reducing the number of American soldiers and increasing and substituting additional constabulary or the native scouts, paying for their services out of the Philippine treasury, as is being done at this time with the constabulary force of 5,000 men.

To abandon the islands for the reason that they are or may become a menace virtually means that Uncle Sam, who never fought an unsuccessful war, is for the first time going to show the white feather, admit possessing a yellow streak, make a confession to all mankind—to all the world—that our noble ancestors signally failed to transmit to the men of this generation any of their indomitable courage, undimmed loyalty, unceasing bravery, unswerving determination to hold and forever defend our rightful possessions, purchased not only with millions of the people's money under a treaty ratified by Bryan favored, but, above all, with the priceless lives of our heroes, many of whom sleep in the very soil they now tell us we must give up for lack of courage, for fear we have a "menace on our hands." God forbid!

With or without these islands there will be a menace to the United States until Congress performs its patriotic duty in providing an Army and Navy so big and strong no nation in the Orient or elsewhere will ever dare menace or attempt to do our country an injury or capture any of our possessions. By making it possible for Japan to succeed us in the Philippines, take over the great and expensive fortifications costing us upward of \$15,000,000 and fully developing the rich possibilities of the islands with countless thousands of Japanese laborers, will Japan as a nation be strengthened or weakened as our military, naval, and commercial rival in the Pacific? Will not the absorption of the Philippines, along with Korea and Formosa and the ever-increasing concessions Japan is securing in China by threats and force, result in her immense commercial growth and power until she will soon be financially able to increase her army and navy to an extent where she will, indeed and in fact, be more than a menace to the United States in the Pacific? To-day her navy is practically the equal of ours and her standing army of seasoned and highly trained men exceeds ours by 175,000, and has lately been ordered increased. Every man in the nation has received military training.

Evidently anticipating our withdrawal from the Philippines, certain Japanese are now negotiating for the purchase of extensive sugar lands in the islands and are quoted in the Manila press as stating that they plan to bring over 100,000 or 200,000 Japs to use in the sugar industry, every man of whom will be a trained soldier.

OUR TRADE WITH THE ISLANDS.

Last year American merchants and manufacturers sold goods to the value of \$27,204,587 to the islands, as against \$127,804 in 1898, or an increase of \$27,076,783 since we took them over. Our sales in the Philippines for 1914 exceeded our exports to China for the same period and are equal to half of the amount we disposed of in Japan and were greater by \$2,000,000 than the amount we shipped to all of the following countries in South America during 1914: Venezuela, Peru, Colombia, Uruguay, Bolivia, and Paraguay. Our trade in Chile and Peru combined fell a million and a half dollars behind the Philippines' orders last year. Comparing our trade in the islands with some of our exports to European markets, we have the following: Our Philippine trade last year (1914) exceeded by \$3,000,000 all we sold to Greece, Portugal, Switzerland, and Turkey in Europe, and fell short only \$3,000,000 in equaling our exports to Russia. Of our exports to the islands, we sold in cotton goods in 1904, \$2,827,106, and in 1913 the amount was \$6,827,082, more than a million dollars in excess of our sale of cotton goods in China, where at one time—before the Japanese controlled southern Manchuria and drove our trade out—we sold in one year cotton goods to the value of \$29,814,000.

We have the advantage of our competitors now in the Philippines, because Congress has enacted trade and tariff laws favorable to our exporters and manufacturers; but withdraw, give up the islands, let others make the laws or make it possible for Japan to succeed us, and it will not be long before our business in the islands will vanish as it did in Manchuria.

Our competitors sold goods to the value of \$24,568,258 in the islands last year. I have examined the list covering these importations, and practically every article is manufactured in the United States, and with proper tariff legislation this additional business would come to us and double our trade in the islands—increase it from \$24,020,395 to \$48,588,653 at the present time.

If we are to care for the islands, furnish an army and navy for their protection, and be responsible for them, our business men should have the market, and not foreign competitors whose countries do not share with us the expenditures, labors, and responsibilities in connection with their administration.

Here is a partial list of articles and their values sold in the Philippines last year by our competitors, which American business men ought to have furnished and can in the future, if Congress will do its duty to our exporters, manufacturers, and employees: Cotton goods, value \$4,129,911; coal, \$1,629,490; condensed milk, \$740,996; silks and

manufactures of, \$724,704; undershirts and drawers, \$703,425; cement, \$547,763; passenger and freight cars, \$217,631; locomotives and parts of, \$209,960; collars and shirts, \$162,638; iron bars, rods of steel, etc., \$154,027; steel rails, \$146,831; enameled utensils, \$100,262; handkerchiefs, \$91,039; plushes and velvets, \$61,024; cheese, \$56,870; umbrellas and parasols, \$55,180; trunks and traveling bags, \$51,097; toys, \$44,190; electrical machinery, \$39,301.

There is no richer, more fertile, undeveloped country in the world than the Philippine Islands, and with the development of its agricultural and mineral wealth as will follow our continued occupation, in a short time our trade would increase from \$27,000,000 to \$200,000,000 or \$300,000,000 per annum, and this would be far more than our present exports to all South America and the Orient combined. We annually purchase of South America and other countries more than \$700,000,000 tropical fruits, goods, produce, etc., which can be produced in the islands and sold to us in exchange for American goods, and thus escape the present heavy balance of trade, \$396,000,000, now against us in dealing with these countries, which place the great bulk of their purchasing orders with our European competitors. The live, awake Americans have developed the agricultural wealth of the little Hawaiian Islands, about the size of the State of Connecticut, and as a result last year the 225,000 people of these islands purchased in the United States goods to the value of \$25,773,412. These prosperous people—225,000—own more automobiles than the 500,000,000 people in China and Japan. What has been accomplished in the Hawaiian Islands in agricultural development, wealth, and trade can be repeated in the Philippines on a much larger scale, for the islands are as large as all New England and New York State combined, with a population of 8,000,000.

Mr. Bryan urged us to give up our insular possessions, and yet the record proves that we found a desirable market for the surplus of our factories and mills last year in Porto Rico, Hawaii, and the Philippines to the extent of \$85,646,367. At this rate at the end of 10 years our exports to these islands will exceed \$856,463,670. With our great industrial growth we are turning out more goods than our home market can consume. If we are to keep the mills going and our working people fully employed, prosperous, contented, and happy, we must have a market for the full output of our mines, mills, and factories. We must look ahead. We can not turn back. We must hold our own and go forward. Congress will be faithless to the present and future interest of America if it surrenders control of the Philippines—will do a cruel and serious injury to the honest and deserving Americans now residing in the islands; will undo one of the greatest works of the twentieth century, the matchless achievements of American progress and civilization in the Philippines, and bring upon the natives of the islands unending troubles and misfortunes—a greater calamity could not befall them. And, finally, by such action Congress will virtually proclaim, in ordering the removal of our loved flag, that the brave men who willingly gave up their lives to see it triumphantly float over the walls of Manila—over conquered Spaniard and captured Filipino revolutionist—have died in vain and our country has ceased to remember and appreciate their great sacrifice to maintain her honor and glory and make her a great world power.

From such enduring shame, humiliation, ingratitude, and disgrace may we as a people and an enlightened Nation be spared.

If the administration in power succeeds in its attempt to haul down the American flag in the Philippines, an outraged people will inflict the same punishment upon President Wilson and his party which was administered to President Cleveland for attempting to lower the flag and abandon the Hawaiian Islands in 1893. History will repeat itself.

FINAL WORD TO FILIPINOS.

Now, having had my say to the American people, I will close this lengthy communication by submitting a prediction to honest, sincere, and thoughtful Filipinos devoted to the best interests of their country and having its welfare close at heart. If you quietly and tamely permit the demagogues, excitable editors, and unworthy politicians to drag your country from beneath the protecting folds of the American flag, you will at no distant day find yourselves compelled to acknowledge allegiance to another, offering less protection, fewer liberties, and exacting tribute for whatever may be given you. You will then live your remaining days in sackcloth and ashes, mourning over the supreme folly committed by those who, betraying your best interests, inflicted lasting misery upon your beloved land by severing her relations from the best Government on the face of the earth, which brought to you countless blessings you failed to understand or appreciate.

RICHARD W. AUSTIN.

Mr. HITCHCOCK. Mr. President, as there seems to be no disposition to discuss the Philippine bill further to-day I ask that it may be temporarily laid aside, without prejudice to its position as the unfinished business.

The PRESIDING OFFICER. The Senator from Nebraska asks that the bill under consideration may be temporarily laid aside. Is there objection? The Chair hears none, and it is so ordered.

OHIO RIVER BRIDGE.

Mr. CHILTON. I ask unanimous consent to take up Senate bill 2409, for the construction of a bridge across the Ohio River. Unless it is passed at this time a public work will be delayed.

The PRESIDING OFFICER. The Senator from West Virginia asks unanimous consent that the Senate proceed to the consideration of Senate bill 2409, the title of which will be stated by the Secretary.

The SECRETARY. A bill (S. 2409) to authorize the Ohio-West Virginia Bridge Co. to construct a bridge across the Ohio River at the city of Steubenville, Jefferson County, Ohio.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Saturday, January 8, 1916, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 7, 1916.

UNITED STATES CIRCUIT JUDGES.

Samuel Alschuler, of Chicago, Ill., to be United States circuit judge, seventh judicial circuit, vice Peter S. Grosscup, resigned. Mr. Alschuler is now serving under a recess appointment.

Tillman D. Johnson, of Ogden, Utah, to be United States district judge, district of Utah, vice John A. Marshall, resigned. Mr. Johnson is now serving under a recess appointment.

JUDGE OF COURT OF CLAIMS.

George E. Downey, of Indiana, lately Comptroller of the Treasury, to be a judge of the Court of Claims, vice Charles B. Howry, resigned. Mr. Downey is now serving as such judge under a recess appointment.

UNITED STATES ATTORNEYS.

Charles R. Williams, of the Canal Zone, to be United States attorney, district of the Canal Zone, vice William K. Jackson, jr., resigned. Mr. Williams is now serving under a recess appointment.

Thomas J. Spellacy, of Hartford, Conn., to be United States attorney, district of Connecticut, vice Frederick A. Scott, resigned. Mr. Spellacy is now serving under a recess appointment.

John L. Neeley, of Tallahassee, Fla., to be United States attorney, northern district of Florida, vice Philip D. Beall, resigned. Mr. Neeley is now serving under a recess appointment.

Joseph W. George, of Yazoo City, Miss., to be United States attorney, southern district of Mississippi, vice Robert C. Lee, deceased. Mr. George is now serving under a recess appointment.

Thomas S. Allen, of Lincoln, Nebr., to be United States attorney, district of Nebraska, vice Francis S. Howell, term expired. Mr. Allen is now serving under a recess appointment.

Stephen T. Lockwood, of Buffalo, N. Y., to be United States attorney, western district of New York, vice John D. Lynn, appointed by the court. Mr. Lockwood is now serving under a recess appointment.

Stuart R. Bolin, of Columbus, Ohio, to be United States attorney, southern district of Ohio, vice Sherman T. McPherson, resigned. Mr. Bolin is now serving under a recess commission.

Miles M. Martin, of Richmond, Va., to be United States attorney, district of Porto Rico, vice J. Henri Brown, appointed by the court. Mr. Martin is now serving under a recess appointment.

J. William Thurmond, of Edgefield, S. C., to be United States attorney, western district of South Carolina. Mr. Thurmond is now serving under a recess appointment.

H. A. Sawyer, of Hartford, Wis., to be United States attorney, eastern district of Wisconsin, vice Guy D. Goff, term expired. Mr. Sawyer is now serving under a recess appointment.

UNITED STATES MARSHALS.

William A. Shelton, of Windsor, Mo., to be United States marshal, western district of Missouri, vice Henry C. Miller, appointed by the court. Mr. Shelton is now serving under a recess appointment.

Joseph L. Asbridge, of Roundup, Mont., to be United States marshal, district of Montana, vice William Lindsay, term expired. Mr. Asbridge is now serving under a recess appointment.

Thomas J. Flynn, of Omaha, Nebr., to be United States marshal, district of Nebraska, vice William P. Warner, term expired. Mr. Flynn is now serving under a recess appointment.

Clayton L. Wheeler, of Hancock, N. Y., to be United States marshal, northern district of New York, vice Daniel F. Breitenstein, resigned. Mr. Wheeler is now serving under a recess appointment.

John D. Lynn, of Rochester, N. Y., to be United States marshal, western district of New York, vice Henry L. Fassett, resigned. Mr. Lynn is now serving under a recess appointment.

Charles J. Lyon, of Abbeville, S. C., to be United States marshal, western district of South Carolina. Mr. Lyon is now serving under a recess appointment.

Samuel W. Randolph, of Manitowoc, Wis., to be United States marshal, eastern district of Wisconsin, vice Harry A. Weil, term

expired. Mr. Randolph is now serving under a recess appointment.

REGISTER OF LAND OFFICE.

Myron W. Hutchinson, of Havre, Mont., to be register of the land office at Havre, Mont. Reappointment.

RECEIVER OF PUBLIC MONEYS.

Frank M. Broome, of Alliance, Nebr., to be receiver of public moneys at Valentine, Nebr., vice Eloy Olson, term expired.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Capt. Walter C. Short, Fourth Cavalry, to be major, from December 24, 1915, vice Maj. Louis C. Scherer, Eighth Cavalry, detailed in the Quartermaster Corps.

INFANTRY ARM.

First. Lieut. William B. Wallace, Infantry, unassigned, to be captain, from January 2, 1916, vice Capt. William F. Nesbitt, Fourth Infantry, who died January 1, 1916.

Second Lieut. Frederick C. Phelps, Twelfth Infantry, to be first lieutenant, from January 3, 1916, vice First Lieut. John C. Waterman, Seventh Infantry, detached from his proper command.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants, with rank from January 5, 1916.

Ira Ross Clark, of Missouri.

Andrew Roy MacAusland, of Massachusetts.

George Millar Sabin, of Vermont.

Floyd William Hunter, of Pennsylvania.

William Henry Mansperger, of New York.

Howard Henry Dignan, of California.

Frederick Walter Kroll, of California.

Herbert Budington Wilcox, of New York.

Winfred Morgan Hartshorn, of New York.

Edward Martin Colle, jr., of New York.

James Lawrence Evans, of New Jersey.

Percy Herbert Williams, of New York.

Herbert Charles Clark, of Indiana.

Robert Holmes Greene, of New York.

John Roscoe Elliott, of Delaware.

Carlton Lakey Vanderboget, of Washington.

William Gray Phillips, jr., of New York.

Harry Kalman Loew, of Texas.

Augustus Riley, of Massachusetts.

George Milton Linthicum, of Maryland.

Dennis Frank Reeder, of the Canal Zone.

Jerome Kingsbury, of New York.

Harry Pepper, of Michigan.

Claren Emmett Pfeiffer, of Ohio.

Peter Lyons Harvie, of New York.

Francis James Grandfield, of Michigan.

Henry Paul Brown, jr., of Pennsylvania.

Alfred M. Hellman, of New York.

Harold Montgomery Craig, of Alaska.

Frank Lappin Horsfall, of Washington.

Samuel William Spencer Toms, of New York.

Calvin Hooker Goddard, of Maryland.

Max Washington Myer, of Missouri.

PROMOTIONS IN THE NAVY.

Lieut. Julius C. Townsend to be a lieutenant commander in the Navy from the 26th day of November, 1915.

Midshipman Robert M. Fortson to be an ensign in the Navy from the 5th day of June, 1915.

First Lieut. Samuel W. Bogan to be a captain in the Marine Corps from the 17th day of December, 1915.

The following named carpenters to be chief carpenters in the Navy from the dates set opposite their names:

Francis J. Wilson, November 15, 1915.

Herbert Duthie, November 15, 1915.

Herbert Van C. Wetmore, November 15, 1915.

James G. McPherson, November 15, 1915.

Stephen L. Lovett, November 15, 1915.

Albert G. Merrill, November 15, 1915.

William R. Thomas, November 15, 1915.

POSTMASTERS.

ARKANSAS.

John D. Ainsworth to be postmaster at Wesson, Ark. Office became presidential January 1, 1916.

Alfred Watts to be postmaster at Yellville, Ark. Office became presidential January 1, 1916.

CALIFORNIA.

Charles W. Brown to be postmaster at Calipatria, Cal. Office became presidential January 1, 1916.

Lee Darneal to be postmaster at Los Gatos, Cal., in place of W. C. Campbell. Incumbent's commission expires January 11, 1916.

E. M. Drury to be postmaster at Fowler, Cal., in place of E. W. Wilson, resigned.

Charles E. Kerr to be postmaster at Korbek, Cal. Office became presidential January 1, 1916.

John J. McGrath to be postmaster at San Mateo, Cal., in place of Thomas E. Byrnes. Incumbent's commission expired December 20, 1915.

Edgar J. Murphy to be postmaster at Redondo Beach, Cal., in place of Arthur B. Steel. Incumbent's commission expires January 25, 1916.

Joseph H. Ramsdale to be postmaster at Coachella, Cal. Office became presidential January 1, 1916.

John W. Stemmle to be postmaster at Crockett, Cal., in place of Thomas Edwards. Incumbent's commission expired December 14, 1915.

COLORADO.

Agnes H. Alford to be postmaster at Castle Rock, Colo., in place of Ellen E. Potter. Incumbent's commission expires January 24, 1916.

Thomas J. Chancellor to be postmaster at Brighton, Colo., in place of R. W. Campbell. Incumbent's commission expires January 16, 1916.

Duncan Lamont to be postmaster at Colorado City, Colo., in place of John F. Morgan. Incumbent's commission expires January 16, 1916.

Walter E. Rogers to be postmaster at Berthoud, Colo., in place of John C. Shull. Incumbent's commission expires January 11, 1916.

Rhoda J. Yersin to be postmaster at Burlington, Colo., in place of Charles Creglow. Incumbent's commission expired December 20, 1915.

FLORIDA.

William F. Albury to be postmaster at Coconut Grove, Fla., in place of William D. Sanford, resigned.

Charles F. Hopkins to be postmaster at St. Augustine, Fla., in place of George A. Alba, removed.

Albert E. Lounds to be postmaster at Crescent City, Fla., in place of E. D. Lounds. Incumbent's commission expires January 24, 1916.

Thomas McLeod to be postmaster at Newberry, Fla., in place of Arthur C. Reid. Incumbent's commission expires January 15, 1916.

Joshua S. Register to be postmaster at Tarpon Springs, Fla., in place of John C. Beekman. Incumbent's commission expires January 22, 1916.

David S. Simpson to be postmaster at Mount Dora, Fla. Office became presidential January 1, 1916.

GEORGIA.

George L. Bonds to be postmaster at Chickamauga, Ga. Office became presidential January 1, 1916.

J. L. Brooks to be postmaster at Austell, Ga., in place of C. A. E. Strickland. Incumbent's commission expired December 18, 1915.

George D. Rucker to be postmaster at Alpharetta, Ga. Office became presidential July 1, 1915.

Anna C. Williams to be postmaster at Lumpkin, Ga., in place of Annie Ard, deceased.

ILLINOIS.

Jacob R. Alleman to be postmaster at Libertyville, Ill., in place of Ross M. Taylor. Incumbent's commission expires January 11, 1916.

Robert L. Downing to be postmaster at Joy, Ill. Office became presidential January 1, 1916.

James E. Heflin to be postmaster at Versailles, Ill. Office became presidential January 1, 1916.

Herman J. Hemann to be postmaster at New Baden, Ill. Office became presidential January 1, 1916.

Frank Johnston to be postmaster at Charleston, Ill., in place of Fred More. Incumbent's commission expired December 12, 1915.

INDIANA.

Herbert P. Carpenter to be postmaster at Elwood, Ind., in place of E. E. Fornshell. Incumbent's commission expires January 16, 1916.

John L. Fraley to be postmaster at Anderson, Ind., in place of Henry P. Hardie. Incumbent's commission expires January 16, 1916.

Frank D. Haimbaugh to be postmaster at Muncie, Ind., in place of R. L. Williamson. Incumbent's commission expires January 16, 1916.

Joseph T. Kistler to be postmaster at Royal Center, Ind., in place of William D. Lutes. Incumbent's commission expires January 16, 1916.

Guy Longest to be postmaster at English, Ind. Office became presidential January 1, 1916.

Otto A. Minear to be postmaster at Claypool, Ind. Office became presidential January 1, 1916.

John T. Scott to be postmaster at Valparaiso, Ind., in place of M. J. Stinchfield. Incumbent's commission expired December 12, 1915.

James P. Simons to be postmaster at Monticello, Ind., in place of W. F. Bunnell. Incumbent's commission expires January 16, 1916.

IOWA.

K. F. Baldrige to be postmaster at Bloomfield, Iowa, in place of Perry T. Grimes. Incumbent's commission expires January 30, 1916.

Edward M. Bratton to be postmaster at Shellsburg, Iowa. Office became presidential January 1, 1916.

E. F. Breen to be postmaster at Farley, Iowa, in place of John B. Cook, resigned.

Joseph G. Geister to be postmaster at Primghar, Iowa, in place of W. W. Artherholt. Incumbent's commission expires January 20, 1916.

J. J. McMahon to be postmaster at Toledo, Iowa, in place of F. C. McClaskey. Incumbent's commission expires January 24, 1916.

Dorothy Parden to be postmaster at George, Iowa, in place of William Horsfall. Incumbent's commission expired December 20, 1915.

George Ritz to be postmaster at Rockwell City, Iowa, in place of A. L. Riseley. Incumbent's commission expires January 24, 1916.

S. I. Rutledge to be postmaster at Iowa Falls, Iowa, in place of Peter McCallum, resigned.

N. E. Sheridan to be postmaster at Bancroft, Iowa, in place of Jacques A. Frech. Incumbent's commission expires January 24, 1916.

Ira A. Squier to be postmaster at Sutherland, Iowa, in place of C. W. Briggs. Incumbent's commission expires January 8, 1916.

Albert F. Steffen to be postmaster at Hull, Iowa, in place of Herman Ver Steeg. Incumbent's commission expired November 20, 1915.

Peter Wohlenberg to be postmaster at Everly, Iowa. Office became presidential January 1, 1916.

KANSAS.

I. J. Hart to be postmaster at Pleasanton, Kans., in place of J. F. Smith. Incumbent's commission expired December 20, 1915.

Alma Helvering to be postmaster at Beattie, Kans. Office became presidential January 1, 1916.

T. J. Masterson to be postmaster at Elkhart, Kans. Office became presidential January 1, 1916.

G. A. Pierce to be postmaster at St. Paul, Kans., in place of Ernest Hoeffe. Incumbent's commission expires January 18, 1916.

John W. Sheridan to be postmaster at Paola, Kans., in place of G. L. Robinson. Incumbent's commission expires January 29, 1916.

William M. Stehley to be postmaster at Woodston, Kans. Office became presidential January 1, 1916.

T. A. Stevens to be postmaster at Caney, Kans., in place of A. L. Utterback. Incumbent's commission expires January 24, 1916.

Charles E. Van Vleck to be postmaster at Rossville, Kans. Office became presidential January 1, 1916.

KENTUCKY.

Arthur L. Hall to be postmaster at Dixon, Ky., in place of J. C. Jenkins. Incumbent's commission expires January 15, 1916.

Mattye L. Harris to be postmaster at Auburn, Ky. Office became presidential January 1, 1916.

Cyrus M. Preston to be postmaster at Ashland, Ky., in place of E. F. Poage. Incumbent's commission expires January 20, 1916.

LOUISIANA.

Stacy Elizabeth Ober to be postmaster at Ferriday, La., in place of S. E. Ober. Incumbent's commission expires January 22, 1916.

MAINE.

Bion B. Anderson to be postmaster at Dover, Me., in place of A. A. Dinsmore. Incumbent's commission expires January 25, 1916.

Rena M. Bates to be postmaster at Strong, Me. Office became presidential January 1, 1916.

MASSACHUSETTS.

John Adams to be postmaster at Provincetown, Mass., in place of Joseph A. West, deceased.

MICHIGAN.

George Baskin to be postmaster at Ubly, Mich., in place of Joseph Morris. Incumbent's commission expires January 16, 1916.

Charles M. Brown to be postmaster at Ithaca, Mich., in place of J. N. McCall. Incumbent's commission expires February 20, 1916.

Clio S. Case to be postmaster at Brighton, Mich., in place of F. M. Blatchford. Incumbent's commission expires January 18, 1916.

John W. Currigan to be postmaster at Lyons, Mich., in place of Leonard E. Morse, resigned.

William L. Ferry to be postmaster at Eau Claire, Mich., in place of T. B. Wynn. Incumbent's commission expires January 11, 1916.

Thomas T. Fralick to be postmaster at Copemish, Mich. Office became presidential January 1, 1916.

Murray J. Hoppock to be postmaster at Frankfort, Mich., in place of H. A. Lewis. Incumbent's commission expires January 25, 1916.

Gustav H. Knaak to be postmaster at St. Joseph, Mich., in place of J. W. Needham. Incumbent's commission expires February 19, 1916.

Alva McCarty to be postmaster at Oxford, Mich., in place of A. B. Glaspie. Incumbent's commission expires January 25, 1916.

Thomas Maveety to be postmaster at Olivet, Mich., in place of F. N. Green. Incumbent's commission expires February 1, 1916.

Frederick H. Miller to be postmaster at Remus, Mich., in place of S. L. Willits. Incumbent's commission expires February 1, 1916.

Paul D. Palmer to be postmaster at Sunfield, Mich. Office became presidential January 1, 1916.

Emmett Pullman to be postmaster at Tustin, Mich., in place of Elmer Pryce. Incumbent's commission expires February 1, 1916.

D. D. Ranney to be postmaster at Leslie, Mich., in place of George L. Belcher, removed.

Nathan C. Thomas to be postmaster at Caledonia, Mich. Office became presidential January 1, 1916.

Alle Toppen to be postmaster at Holland, Mich., in place of G. Van Schelven. Incumbent's commission expires February 1, 1916.

J. S. Walling to be postmaster at Coopersville, Mich., in place of W. P. Stiles. Incumbent's commission expires February 1, 1916.

MINNESOTA.

C. M. Anderson to be postmaster at Baudette, Minn., in place of C. S. Dahlquist. Incumbent's commission expires January 11, 1916.

Henry J. Bock to be postmaster at Delano, Minn., in place of C. J. Buckley. Incumbent's commission expires January 24, 1916.

Frank M. Clark to be postmaster at Wells, Minn., in place of Justin E. Stiles. Incumbent's commission expires January 24, 1916.

W. C. Galbraith to be postmaster at Balaton, Minn., in place of J. H. Carlaw. Incumbent's commission expires January 24, 1916.

John Kasper to be postmaster at Faribault, Minn., in place of William Kaiser. Incumbent's commission expired December 21, 1915.

M. W. A. Murray to be postmaster at Parkers Prairie, Minn., in place of J. A. Hawkinson. Incumbent's commission expires January 24, 1916.

J. H. Pelham to be postmaster at Menahga, Minn., in place of Matthew Ristinen. Incumbent's commission expires January 29, 1916.

John A. Timpane to be postmaster at Waterville, Minn., in place of John W. Gish. Incumbent's commission expires January 11, 1916.

MISSISSIPPI.

James H. Crawford to be postmaster at Tylertown, Miss., in place of John L. Carr. Incumbent's commission expired December 13, 1914.

Hugh M. Drane to be postmaster at McCool, Miss. Office became presidential January 1, 1916.

R. B. Waldrop to be postmaster at Houston, Miss., in place of Beatrice Williams. Incumbent's commission expires January 15, 1916.

MISSOURI.

Zachariah T. Casebolt to be postmaster at Miami, Mo. Office became presidential January 1, 1916.

William B. Ellis to be postmaster at Elsberry, Mo., in place of William A. Ulery. Incumbent's commission expires January 15, 1916.

Bristol French to be postmaster at Piedmont, Mo., in place of Isaac N. Barnett. Incumbent's commission expires January 15, 1916.

Almae C. Hall to be postmaster at Blue Springs, Mo. Office became presidential January 1, 1916.

James E. Harris to be postmaster at Conway, Mo. Office became presidential January 1, 1916.

L. R. McNatt to be postmaster at Purdy, Mo., in place of E. P. Ambrose. Incumbent's commission expires January 15, 1916.

Earnest M. Moore to be postmaster at Corder, Mo. Office became presidential January 1, 1916.

William T. Murphy to be postmaster at Parma, Mo. Office became presidential January 1, 1916.

William L. Peoples to be postmaster at Shelbyville, Mo., in place of Richard Collier. Incumbent's commission expires February 27, 1916.

MONTANA.

John F. Butler to be postmaster at Glendive, Mont., in place of John C. Sorenson. Incumbent's commission expired December 18, 1915.

John G. Eppers to be postmaster at Denton, Mont. Office became presidential January 1, 1915.

Frank K. Hollenbeck to be postmaster at Forsyth, Mont., in place of L. W. Katzenstein. Incumbent's commission expired December 18, 1915.

John W. Lister to be postmaster at Missoula, Mont., in place of Andrew Logan. Incumbent's commission expires January 29, 1916.

NEBRASKA.

Melvin A. Brinegar to be postmaster at Alexandria, Nebr. Office became presidential October 1, 1915.

Jerome W. Connelly to be postmaster at Lindsay, Nebr. Office became presidential January 1, 1916.

James M. Crews to be postmaster at Culbertson, Nebr., in place of Henry Kleven. Incumbent's commission expired December 20, 1915.

Cora Congrove to be postmaster at Cairo, Nebr. Office became presidential January 1, 1916.

Harry A. Crosby to be postmaster at Beemer, Nebr. Office became presidential January 1, 1916.

Harry C. Furse to be postmaster at Alma, Nebr., in place of Albert H. Gould. Incumbent's commission expires January 16, 1916.

Hazel James to be postmaster at Carroll, Nebr. Office became presidential January 1, 1916.

C. P. Lundgren to be postmaster at Wausa, Nebr., in place of C. A. Anderson. Incumbent's commission expired December 20, 1915.

P. J. Melia to be postmaster at Gretna, Nebr., in place of James M. Fox. Incumbent's commission expires January 24, 1916.

John Moran to be postmaster at Callaway, Nebr., in place of Joshua H. Evans. Incumbent's commission expires January 15, 1916.

William S. Morgan to be postmaster at Atkinson, Nebr., in place of Dell Akin. Incumbent's commission expires January 18, 1916.

Thomas O. Norman to be postmaster at Oxford, Nebr., in place of E. P. Reichardt. Incumbent's commission expired December 20, 1915.

E. C. Ratcliff to be postmaster at Stratton, Nebr., in place of F. M. Pfrimmer. Incumbent's commission expired December 20, 1915.

William C. Rosecrans to be postmaster at Ashland, Nebr., in place of James H. Oliver. Incumbent's commission expires January 15, 1916.

A. H. Shepard to be postmaster at Ansley, Nebr., in place of E. P. Gaines. Incumbent's commission expires January 15, 1916.
Ambrose E. Sherwood to be postmaster at Haigler, Nebr. Office became presidential October 1, 1915.

John Wilson to be postmaster at Franklin, Nebr., in place of Clayton Kellam. Incumbent's commission expired December 20, 1915.

NEW HAMPSHIRE.

Philip W. Sherburne to be postmaster at Pittsfield, N. H., in place of Ferdinand French, removed.

John A. Willey to be postmaster at Sanbornville, N. H., in place of E. A. Himes. Incumbent's commission expires January 11, 1916.

NEW JERSEY.

Willard N. Apgar to be postmaster at Dunellen, N. J., in place of H. S. Garretson. Incumbent's commission expires January 24, 1916.

S. Dana Ely to be postmaster at Rutherford, N. J., in place of F. M. Buckles. Incumbent's commission expired August 19, 1915.

Mary A. Hyde to be postmaster at Franklin, N. J., in place of George L. Shaw, resigned.

Charles E. Paxton to be postmaster at Jamesburg, N. J., in place of J. B. Pownall. Incumbent's commission expired December 12, 1915.

Thomas Quinn to be postmaster at Chrome, N. J., in place of J. H. Nevill. Incumbent's commission expired February 16, 1915.

Harvey H. Van Derveer to be postmaster at Englishtown, N. J., in place of G. D. Vandenberg. Incumbent's commission expires January 18, 1916.

Richard F. White to be postmaster at Perth Amboy, N. J., in place of W. H. Pfeiffer. Incumbent's commission expired July 17, 1915.

Alexander A. Yard to be postmaster at Farmingdale, N. J., in place of A. A. Yard. Incumbent's commission expires January 11, 1916.

NEW YORK.

John J. Breen to be postmaster at Mineola, N. Y., in place of William McCarthy. Incumbent's commission expires January 29, 1916.

Joseph Thiel to be postmaster at North Collins, N. Y., in place of F. E. Gaylord. Incumbent's commission expires January 11, 1916.

William H. Weise to be postmaster at Valley Stream, N. Y., in place of F. W. Muller. Incumbent's commission expires January 29, 1916.

NORTH CAROLINA.

L. Estelle Jones to be postmaster at Bethel, N. C. Office became presidential January 1, 1916.

W. C. Gillespie to be postmaster at Burnsville, N. C. Office became presidential January 1, 1916.

John W. McCain to be postmaster at Waxhaw, N. C. Office became presidential January 1, 1916.

A. S. Ruggles to be postmaster at Southern Pines, N. C., in place of J. N. Powell. Incumbent's commission expires January 24, 1916.

NORTH DAKOTA.

Lillian B. Totten to be postmaster at Bowman, N. Dak., in place of Myrtie Nelson, resigned.

OHIO.

Peter J. Blank to be postmaster at Canal Fulton, Ohio, in place of W. E. Moulton. Incumbent's commission expired December 20, 1915.

Lee R. Carman to be postmaster at Belmont, Ohio. Office became presidential January 1, 1916.

Michael J. Callaghan to be postmaster at Bellevue, Ohio, in place of F. O. Bates. Incumbent's commission expires January 15, 1916.

Ross S. De Muth to be postmaster at Rossford, Ohio, in place of W. R. Tuller. Incumbent's commission expires January 15, 1916.

Emmet H. Dixon to be postmaster at Byesville, Ohio, in place of Elmer E. Green, resigned.

Hugh Gormley to be postmaster at Glouster, Ohio, in place of J. W. Bryson. Incumbent's commission expires February 1, 1916.

William Hosick to be postmaster at Mineral City, Ohio, in place of A. L. Moffitt. Incumbent's commission expired December 12, 1915.

M. E. Miskall to be postmaster at East Liverpool, Ohio, in place of R. C. Heddleston. Incumbent's commission expires February 1, 1916.

Perry E. Montgomery to be postmaster at Greenspring, Ohio, in place of J. B. Maule. Incumbent's commission expires February 1, 1916.

Frederick B. Mowery to be postmaster at Kingston, Ohio. Office became presidential January 1, 1916.

Daniel W. Rumbaugh to be postmaster at Chicago Junction, Ohio, in place of Otis Sykes. Incumbent's commission expires January 18, 1916.

George Russ to be postmaster at Sciotoville, Ohio. Office became presidential January 1, 1916.

OKLAHOMA.

William M. Huntley to be postmaster at Rush Springs, Okla., in place of Henry W. Kinnard, deceased.

Marian L. Robinson to be postmaster at Depew, Okla. Office became presidential January 1, 1916.

OREGON.

Joe Mason to be postmaster at Ione, Oreg. Office became presidential January 1, 1916.

SOUTH CAROLINA.

Martha E. Nichols to be postmaster at York (late Yorkville), S. C., in place of Martha E. Nichols, to change name of office.

Marie C. Harley to be postmaster at Williston, S. C. Office became presidential January 1, 1916.

TENNESSEE.

Dossie O. Thompson to be postmaster at McEwen, Tenn. Office became presidential January 1, 1916.

TEXAS.

Hugh M. Bryan to be postmaster at Burton, Tex. Office became presidential January 1, 1916.

Leslie B. Duffel to be postmaster at Estelline, Tex. Office became presidential January 1, 1916.

Mary M. Ferrel to be postmaster at Roby, Tex. Office became presidential January 1, 1916.

William L. Hayley to be postmaster at Bronte, Tex. Office became presidential January 1, 1916.

Henry H. Luckett to be postmaster at Toyah, Tex. Office became presidential January 1, 1916.

Fountain M. McGee to be postmaster at Ochiltree, Tex. Office became presidential January 1, 1916.

James H. Richey to be postmaster at Hedley, Tex. Office became presidential January 1, 1916.

Wilson B. Russell to be postmaster at Liberty Hill, Tex. Office became presidential January 1, 1916.

Henry C. Williams to be postmaster at Newcastle, Tex. Office became presidential January 1, 1916.

VERMONT.

John H. Donnelly to be postmaster at Vergennes, Vt., in place of Thomas Mack. Incumbent's commission expires January 8, 1916.

Asa C. Oakes to be postmaster at Stowe, Vt., in place of Albert H. Cheney. Incumbent's commission expires January 11, 1916.

John L. Welsh to be postmaster at Proctor, Vt., in place of Charles E. Holden. Incumbent's commission expired December 12, 1915.

VIRGINIA.

Charles N. Graves to be postmaster at Stanley, Va. Office became presidential January 1, 1916.

WASHINGTON.

Edward W. Ferris to be postmaster at Mount Vernon, Wash., in place of Edson S. Phipps. Incumbent's commission expired December 20, 1915.

A. Herbert Graves to be postmaster at Asotin, Wash., in place of William R. Day. Incumbent's commission expired December 14, 1915.

E. B. Johnson to be postmaster at Granger, Wash., in place of Mary A. Ide. Incumbent's commission expired August 1, 1915.

WEST VIRGINIA.

M. J. Meadows to be postmaster at Beckley, W. Va., in place of Thaddeus K. Scott. Incumbent's commission expires January 15, 1916.

WISCONSIN.

A. E. Gerlach to be postmaster at Fountain City, Wis., in place of J. A. Oenning. Incumbent's commission expires January 16, 1916.

J. E. Hennig to be postmaster at Princeton, Wis., in place of Oscar C. Olman. Incumbent's commission expires February 21, 1916.

Carrie Kautsky to be postmaster at Colby, Wis., in place of H. J. Blanchard. Incumbent's commission expires January 16, 1916.

Herman Kronschnabl to be postmaster at Dorchester, Wis., in place of Louis E. Homsted. Incumbent's commission expires January 22, 1916.

John H. Levis to be postmaster at Black River Falls, Wis., in place of Samuel Lund. Incumbent's commission expires January 15, 1916.

F. A. Lonsdorf to be postmaster at Athens, Wis., in place of Henry Kreutzer. Incumbent's commission expires January 16, 1916.

Joseph Marx to be postmaster at Hilbert, Wis., in place of John A. Kropp, deceased.

Otto J. Melcher to be postmaster at Wantoma, Wis., in place of W. H. Berray. Incumbent's commission expires February 6, 1916.

Andrew J. Osborne to be postmaster at Barron, Wis., in place of K. E. Thompson. Incumbent's commission expires February 1, 1916.

Henry Pattison to be postmaster at Durand, Wis., in place of John F. Gillmore. Incumbent's commission expires January 16, 1916.

Alfred W. Puchner to be postmaster at Edgar, Wis., in place of Albert C. Wagner. Incumbent's commission expires January 16, 1916.

F. C. Schliesman to be postmaster at Cambria, Wis., in place of John R. Davies. Incumbent's commission expires January 16, 1916.

W. D. Schultz to be postmaster at Stanley, Wis., in place of W. H. Bridgman. Incumbent's commission expires January 16, 1916.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 7, 1916.

ASSISTANT TREASURER.

John Brooke Evans to be assistant treasurer at Philadelphia, Pa.

CONSULS.

CLASS 6.

Claude I. Dawson to be a consul of class 6.
J. Paul Jameson to be a consul of class 6.

CLASS 8.

William L. Jenkins to be a consul of class 8.

CLASS 9.

Henry T. Wilcox to be a consul of class 9.

POSTMASTERS.

ALASKA.

Martin Conway, Skagway.

DELAWARE.

William Carter, Edgemoor.

SOUTH DAKOTA.

John W. Martin, Watertown.
Lydia Oldewurtel, Freeman.
George A. Poe, Hitchcock.
H. K. Sanborn, Hurley.
James S. Slaughter, Herrick.
John A. Stromme, Garretson.

TENNESSEE.

Luther A. Cross, Oliver Springs.
H. H. Gouchenour, Greeneville.
Thomas M. Huddleston, Centerville.
C. M. Reed, Athens.

TEXAS.

H. L. Piner, Denison.

WYOMING.

Mary Isabelle Crilly, Hanna.
Signa E. Gilkey, Buffalo.
James L. Masters, Torrington.
C. E. Russell, Moorcroft.

HOUSE OF REPRESENTATIVES

FRIDAY, January 7, 1916.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, our heavenly Father, we pray for a public sentiment which shall place a higher value on intellectual, moral, and spiritual attainments than upon material gains. These are valuable, but we realize that if our Republic lives it must grow; for whenever a thing ceases to grow, it begins to die; its life therefore depends on character, individual and collective. Material values fluctuate, but character built upon intellectual, moral, and spiritual life lives and grows. Inspire us as a people to seek these higher values which reflect Thy glory in the individual and in the Nation. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE TREATMENT OF TUBERCULOSIS.

Mr. KENT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD concerning a bill which I introduced yesterday, looking toward the standardization of the treatment of tuberculosis, and toward the elimination of the great evil of the assisted migration of indigent tubercular patients.

The SPEAKER. The gentleman from California [Mr. KENT] asks unanimous consent to extend his remarks in the RECORD on a bill that he has introduced, providing for the standardization of the treatment of tuberculosis, and to devise some means of prohibiting or lessening the assisted immigration of tubercular sufferers into this country. Is there objection?

There was no objection.

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Mr. BENNET. Mr. Speaker, I ask unanimous consent to change the reference of the bill H. R. 588 from the Committee on Printing to the Committee on Patents. It is a proposed amendment to the copyright law. Owing to a defective title on the bill, I think the Speaker very properly referred it to the Printing Committee in the absence of any explanation. I ask for the change of reference.

The SPEAKER. Without objection, it will be so ordered. There was no objection.

LEAVE TO EXTEND REMARKS.

Mr. EDWARDS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein some resolutions adopted by our State legislature.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD by introducing a set of resolutions passed by the Legislature of Georgia. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted to Mr. BAILEY, on account of illness.

THE NATIONAL DEFENSE.

The SPEAKER. Under the special order of the House the time has arrived when the gentleman from Massachusetts [Mr. GARDNER] is entitled to address the House for one hour. [Applause.]

THE EMBARGO ON MUNITIONS OF WAR.

Mr. GARDNER. Mr. Speaker, on August 12, 1915, Secretary Lansing communicated to the Austrian Government his reasons for upholding the legality, morality, and wisdom of permitting American citizens to export munitions of war to the European belligerents. No statement of the case could be more convincing or more complete. I advise everyone to read Secretary Lansing's letter. It is not long, and copies can readily be had. So admirable is the Secretary's argument that only after very real hesitation have I decided to say something in amplification of his conciseness.

OUR DECLARATION TO AUSTRIA.

If public opinion were in its ordinary rational state, this House would sooner vote to forbid the sale of strait-jackets to confine madmen than vote to forbid the sale of war munitions to the allies. When, however, a nation is in such a frame of mind that it makes Harry Thaw a national hero and fills the front pages of its newspapers with the sailings of a bedlam boat, when, moreover, the times are such that we see strong-minded women and weak-minded men vying with each other in greeting burglars with bouquets and decorating murderers with mistletoe, then we need not be surprised to find that there are serious

adherents to the doctrine that the best way to end the European war is to follow Bulgaria's example and stab the allies in the back. Let me read you a few lines from Secretary Lansing's letter, of which I have just spoken:

The principles of international law, the practice of nations, the national safety of the United States and other nations without great military and naval establishments, the prevention of increased armies and navies, the adoption of peaceful methods for the adjustment of international differences, and, finally, neutrality itself are opposed to the prohibition by a neutral nation of the exportation of arms, ammunition, or other munitions of war to belligerent powers during the progress of the war.

THE HOLY ALLIANCE.

That is a good, stout statement taken from this Government's reply to Austria on August 12, five months ago. Has anything happened to change the situation in 150 days? Yes, indeed. Congress has assembled and three groups of men are demanding the enactment of a law to stop the export of war material—a law prescribing an embargo, as it is called. The German-American demands the embargo out of love for the fatherland, the cotton king joins in the chorus out of love for Mammon, and the pacifist adds his hallelujah out of love for God. Upon my word, I think the German-American is the best man of them all. His motives may be hyphenitic, but they are not neurotic. His performances may skirt on treason, but they are not shabby. Frankly he demands that we shall balance by legislation an inequality achieved by Great Britain's triumph over Germany at sea. His reasoning is simple, and from his point of view it is sound. "Ammunition," says he, "helps the allies; so, by hook or by crook, by laws or by strikes, by gold or by dynamite, by torpedo or by mine, let us do what we can to keep ammunition from reaching our enemies."

Mr. STAFFORD. Will the gentleman yield?

Mr. GARDNER. Yes.

Mr. STAFFORD. What is the gentleman's warrant for the charge that he has just made against the German-Americans, that by dynamite or gold they are in favor of preventing the shipment of munitions of war to the allies?

Mr. GARDNER. In all the newspapers of the greatest metropolises in this country you find the substantiation of that statement.

Mr. STAFFORD. I beg the gentleman's pardon. You can not find any substantiation anywhere for the statement that German-American naturalized citizens have engaged in any such actions as those you charge.

Mr. GARDNER. But our pacifist friend. See where his doctrine is carrying him. His hatred of militarism would halt the very arms which are striving to destroy militarism. If he had his way he would paralyze the only force in the universe which stands between him and the tender mercies of armed autocracy.

"Peace," cries the pacifist. "Peace at any price; peace at the German price! Arbitration! Compromise! Anything for peace!"

"Let us arbitrate," said King John of England at Runnymede. "Not so," said the barons, "we will fight it out." So King John was forced to yield, the Magna Charta was signed, and the liberties of Englishmen were gained. "Let us have peace; we will grant you all you ask except independence," said the British Parliament on March 2, 1778. "Not so," said the American patriots, "we will fight it out." So we fought it out, and Great Britain was forced to yield and the liberties of Americans were gained. "This Civil War is a failure," said a great American political party in 1864, "let us compromise our dispute with the Confederacy without settling the question of slavery." "Not so," said the Union, "we will fight it out." So we fought it out, and who is there to-day, North or South, East or West, who says that we did wrong?

MR. BRYAN AND KING COTTON.

Last June Mr. Bryan told us that it was unpatriotic for Americans, be they millionaire travelers or be they penniless hostlers or stokers, to claim their right of travel on belligerent ships. Such a course, in his opinion, endangered our international relations and should therefore be abandoned. Has anyone heard Mr. Bryan repeat that doctrine for the benefit of the great cotton planters? Has anyone heard Mr. Bryan tell the distinguished advocates of an embargo that their threat to enact legislation which our Government itself has recently declared to be unneutral is certain to endanger our relations with Great Britain, and France, and Russia, and Italy, and Japan? Has anyone heard Mr. Bryan chide King Cotton or his courtiers for their lack of patriotism? Has anyone seen our recent Secretary of State stretch out a single finger to check this scheme for garroting sore-beset Democracy? Perhaps Mr. Bryan's heart throbs for poor King Cotton. Mine, I confess, remains calm. There is at least a silver lining to my cloud. In case these cotton gentlemen are obliged to dispose of their product without

securing the extravagant prices which a devious traffic with Germany would assuredly bring them, we can comfort ourselves with the reflection that the useful cotton handkerchief can still be purchased at the moderate figure of three for a quarter.

Perchance the American mother, the subject of so much oratory, may even rejoice that the allies permit none of our cotton to be filtered into Germany or Austria. Perchance she feels safer so long as there is no danger lest her darling boy on some future *Lusitania* or *Ancona* may be blown up by a torpedo manufactured with cotton grown on his native soil.

THE PLEA OF THE CENTRAL POWERS.

Article 7 of The Hague Convention, No. V, of 1907, reads like this:

A neutral power is not called upon to prevent the export or transport, on behalf of one or other of the belligerents, of arms, munitions of war, or, in general, of anything which can be of use to an army or fleet.

Mr. FESS. Will the gentleman yield?

Mr. GARDNER. Certainly.

Mr. FESS. Does this provision emanate from a desire of the neutral country to sell munitions or from a belligerent country to buy, or both?

Mr. GARDNER. I do not know. It is currently said that it was agreed to by Germany on account of that country's desire to sell munitions. It is impossible to go into the motives of the various countries who ratified that provision.

Mr. FESS. Was it not our position to keep open the markets in order that the belligerents might buy in case we were not in the war?

Mr. GARDNER. I think that our position was shown in Secretary Lansing's August letter to the Austrian Government. Let me read the passage in that letter to which I refer. It shows the danger we shall run if international law shall ever in the future forbid the ammunition traffic between neutrals and belligerents. Listen to this:

But, in addition to the question of principle, there is a practical and substantial reason why the Government of the United States has from the foundation of the Republic to the present time advocated and practiced unrestricted trade in arms and military supplies. It has never been the policy of this country to maintain in time of peace a large military establishment or stores of arms and ammunition sufficient to repel invasion by a well-equipped and powerful enemy. It has desired to remain at peace with all nations and to avoid any appearance of menacing such peace by the threat of its Armies and Navies. In consequence of this standing policy the United States would, in the event of attack by a foreign power, be at the outset of the war seriously, if not fatally embarrassed by the lack of arms and ammunition and by the means to produce them in sufficient quantities to supply the requirements of national defense. The United States has always depended upon the right and power to purchase arms and ammunition from neutral nations in case of foreign attack. This right, which it claims for itself, it can not deny to others.

Mr. SHACKLEFORD. Will the gentleman yield?

Mr. GARDNER. Yes.

Mr. SHACKLEFORD. It is urged on many hands that the United States ought now to prepare itself thoroughly for defense against any country that may attack us. It is not stated that any particular country has such a design, but it seems to be feared that some country may do that. Does not the gentleman think it would be a step toward this preparedness to lay an embargo on the shipment of arms and ammunition to other countries so that we would not have to fight against our own guns?

Mr. GARDNER. That is the argument of the pro-German. A few minutes ago I read you article 7 of The Hague Convention, No. V, of 1907.

The United States, Germany, and Austria each ratified that agreement on November 27, 1909. If it means what it says, that sentence concludes the whole argument so far as the strict legality of munition exports is concerned. So much is admitted by Austria and not denied by Germany. But neither Germany nor Austria admits that this agreement was intended to cover munition exports of such dimensions as we are beginning to ship.

Mr. SHACKLEFORD. I would like to ask the gentleman if he knows whether or not the gun that was fired across the bow of the *Hocking* when it was taken to Halifax was fired by a gun that the English purchased in the United States?

Mr. GARDNER. I have not the slightest idea. To continue my statement of Austria's and Germany's position. Austria's protest was formal. Germany's protest, made in an open letter written by Count von Bernstorff, was informal. Considering the Austrian and the German protest together, here is what I believe to be a fair statement of the case of the central powers: They hold that, notwithstanding any right to sell ammunition to belligerents which American citizens may enjoy, clearly the American Government has the authority to prevent the exercise of that right if it so desires. In the opinion of both Germany and Austria, article 7 of The Hague Convention V (1907) was not meant to cover vast increases in production or to pro-

test new industries such as the new American war-material industry. On the contrary, that article, they say, was designed solely for the protection of industries already existing in times of peace. Furthermore, from the central powers' point of view, the amount of American war material exported is growing so large as to be of substantial weight in the international scale, and thus the neutrality of the United States is in fact impaired. In view of the circumstance that only the allies are in a position to insure delivery, the view taken by the American Government that its citizens are as willing to sell arms to one belligerent as to another is dismissed as theoretical.

Both Germany and Austria point out the possibility of bringing the allies to terms by the menace of an embargo. Austria suggests "the possibility of the prohibition of the exportation of foodstuffs and raw materials in case legitimate commerce in these articles between the Union and the two central powers should not be allowed." Count von Bernstorff suggests either that our one-sided war-material export should be stopped or else that it should be used as a "means to uphold the legitimate trade with Germany, especially the trade in foodstuffs."

In answer to our contention that Germany herself has been notorious as a seller of munitions of war to belligerents, the ambassador makes the not very clear contention that these sales were conducted in competition with other nations, whereas at the present time the United States alone among neutrals is in position to furnish war material in vast quantities.

THE ANSWER.

It is not to be wondered at that the Bernstorff letter was informal, for it is in direct conflict with Germany's official note of December 15, 1914, in which the Imperial German Government stated that "under the general principles of international law no exception can be taken to neutral States letting war material go to Germany's enemies from or through neutral territory."

If Germany had desired to confine the scope of article 7 of The Hague Convention V, cited above, so as merely to cover the munition industries of neutral countries as they might exist at the outbreak of war, she had but to say so at the time. She did not say so. She made no intimation to that effect. On the contrary, after two years' consideration, she signed a perfectly unqualified explicit declaration approving munition exports.

I confess that I am a good deal puzzled to understand just why the export of war material in large quantities should be held to be an unneutral act, while the export of war materials in small quantities is held to be a neutral act. Surely in each case the motive of the exporter is the same, to wit, the wish to secure a profit. Surely if the exporter has the right to seek a small profit from a small number of transactions, he has an equal right to seek a large profit from a large number of transactions of the same nature. Equally obviously in each case the motive of the purchaser is a desire to influence the result of the war in favor of his own side. The fact that the exporter in one case more than in the other contributes to his customer's success has nothing to do with the question.

In his letter Count von Bernstorff quoted the following remark, said to have been made by President Wilson in connection with the Mexican situation: "We should stand for genuine neutrality, considering the surrounding facts of the case." Relying on this expression of opinion, the count comes to the conclusion that the circumstance that the British Navy prevents Germany from securing the delivery of ammunition purchases made in our market is a "surrounding fact" which ought to be reckoned with. In other words, because Great Britain can deliver the goods which Great Britain purchases, while Germany can not deliver the goods which Germany purchases, therefore it is our duty to offset Great Britain's naval superiority by seeing to it that there shall be no goods sold here for anyone to deliver. If that doctrine is to prevail, why confine it to war material? Germany can not deliver wheat or clothing or metals or hospital supplies. If strict neutrality means strict elimination of all inequalities, we must stop the export of everything which any belligerent desires.

The German ambassador evidently looks on neutrality as a sort of sporting proposition. Apparently we are expected to act in the capacity of referee and insure fair play. Very well. How far are we expected to go in adopting this doctrine of "surrounding facts"? If we are to eliminate the inequality caused by the British fleet, ought we not to offset the inequality caused by Krupp's German city of ammunition factories? Are we to disregard the fact that for years one of the belligerent teams whose game we are umpiring has been quietly piling up war material on the side lines? Are we to turn ourselves into a court to decide whether all contestants got a fair start? What allowance must we make for the fact that Germany in the first few

days, by breaking the rules, acquired control over all of Belgium's and most of France's coal and iron resources? After all, if Germany's idea of strict neutrality is to prevail, we must stop feeding the Belgians for they are making ammunition for their conquerors.

PACIFISTS OF OTHER DAYS.

Widely different as is the path of the pacifist, he, too, has come to the conclusion that the export of ammunition ought to be stopped. He presents the view that abundant ammunition postpones the termination of the war. It is quite true that if one combatant is plentifully supplied with ammunition while the other combatant is entirely destitute of ammunition the war is sure to end quickly. So, in the name of humanity, the pacifists propose to secure for Germany the undisturbed possession of the helpless nation which she has so wantonly invaded. So far as we can do so, the hands of the allies are to be tied, and we are to help the pillager retain his booty. We are to stop the war with the plunder secure in Germany's grasp. For the sake of peace the Nation born at Lexington and preserved at Gettysburg is to encourage pillage, savagery, and infidelity by showing the world that a nation may violate every law of God and man and yet be a gainer thereby. In order to stop the war we Americans, so far as we have the power, are to shear France of her defense against the ferocity which has turned fair Belgium into a charnel house.

THE PRIVATE SOLDIER'S SENTIMENTS.

Ever and anon a feeble cry goes up that the private soldiers want to end the war. Yes; each soldier wants the war to end, always provided that his own side is victorious. If it is true that the rank and file are fighting against their will, how is it that at least four or five million British, according to the press, have voluntarily joined the colors? Read the history of our Civil War. The same misjudgment of the private soldier was prevalent then as now. In 1864 McClellan ran for President on a platform calling on the Nation to sue for peace. Lincoln ran on a platform calling for a vigorous prosecution of the war. Yet the soldiers in the field voted overwhelmingly for Lincoln. Listen to these extracts from a letter written to the President by Horace Greeley, editor of the most important organ of public opinion in the North. Mind you, this letter was written August 29, 1864, just 90 days before Lincoln's triumphant reelection:

I know that nine-tenths of the whole American people, North and South, are anxious for peace—peace on almost any terms—and utterly sick of human slaughter and devastation. I beg you, implore you, to inaugurate or invite proposals for peace forthwith. And in case peace can not now be made, consent to an armistice for one year, each party to retain, unmolested, all it now holds, but the rebel ports to be opened. Meantime let a national convention be held, and there will surely be no more war at all events.

So wrote Greeley. Do the words sound familiar? Fortunately the pacifists failed to carry the day. By way of contrast to the Greeley letter, listen to this message dispatched on November 8, 1864, by Gen. Francis P. Blair, who was at that time serving with Sherman's army in the field: "The vote in this army to-day is almost unanimous for Lincoln."

Yet, of course, it is true that Germany would rejoice if peace were declared to-morrow. I remember very well in my college days that on a certain occasion my class nine, on which I played, found itself slightly in the lead at the end of six innings. Unhappily for our prospects of ultimate triumph, our opponents were coming strong and our pitcher had developed a glass arm. As might be expected, we wanted the match to stop while victory still perched on our banner, and we nearly mobbed the umpire when he refused to call the game on account of darkness. Our position was precisely that of Germany at the present time.

MURDER V. TRESPASS.

There is a certain class of mind which can see no distinction between an offense against civilization and an offense against private property. Germany has violated international law and so has England, we are told. Therefore both nations ought to be treated in the same way. Murder and trespass are to be measured by the same yardstick. Taking a child's life and elbowing a trader out of a fat market are to be reckoned as equivalent misdemeanors. Turn back and note the newspaper headlines for the last few months. You will find that hitherto we have punished Great Britain more severely than we have punished Germany. If the Washington correspondents are good judges, our notes to Germany were friendly and our note to Great Britain was sharp. But Germany has made amends, we are told. What amends, pray? Count von Bernstorff sent an offhand note to Secretary Lansing disavowing the *Arabic* attack. In this note and another he tells us that "liners" are to be warned before they are torpedoed. No indication is vouchsafed that any merchant ships except "liners" will receive warning.

What the term "liner" means has not been defined as yet. Mr. Speaker, the life of the humblest American who ships as a stoker on a freighter and the life of the American farmer's boy who tends a dozen mules on a tramp steamer are just as dear to them as the life of Alfred Vanderbilt on the "liner" *Lusitania* was dear to him. Does the Bernstorff note cover the American stoker on the ammunition ship or does it not? Does the Bernstorff note cover the American hostler on the cattle transport or does it not? Time will show. We promised the same full protection to the American stoker on the ammunition ship which we promised to the American traveler on the "liner." We told the Kaiser in impressive tones that we should exact "strict accountability" for the death of the stoker and the death of the traveler alike. Have we done so? Will we do so? There is still a long, long way to travel between Count Bernstorff's personal *Arabie* note to Secretary Lansing and our promise to hold Germany to "strict accountability" for the *Lusitania*. The *William P. Frye*, the *Falaba*, the *Gulflight*, the *Orduna*, the *Nebraskan*, the *Hesperian*, the *Cushing*, the *Armenian*, the *Arabic*, the *Ancona*, the *Persia*—I am not sure that we ought to be especially proud when we note how eagerly official Washington seems to accept and even to suggest each unconvincing excuse for the destruction of these ships. Have we forgotten how sternly we rejected Spain's indignant denials of complicity in the blowing up of the *Maine*? Are we unconscious of the danger that a censorious world may take note of the fact that Spain was weak while Germany is mighty and menacing?

I can not claim to have a single-track mind, but upon my soul, if I were President, I think I should prefer to settle some of those questions with Germany before I proceeded to impose an embargo for her especial benefit.

THE HESSIANS.

Secretary Lansing has published a statement showing Germany's record in the matter of sales of ammunition to belligerents. It is a singularly extended record. She even sold ammunition to Great Britain when the Boers were blockaded—just what she complains of now when the same medicine is prescribed for her. But when we were fighting for our independence it was not ammunition which the Germans sold to Great Britain; it was men. Germany's sale and Great Britain's purchase of Hessians and Brunswickers for the purpose of suppressing our Revolution was as discreditable a piece of business as modern history relates. I never forgave England her share in that besmirched transaction till at the outbreak of the Spanish War in 1898 she, and she alone, took our part and faced the concert of the European powers. Of course it is all the fashion to reprobate Great Britain now that she is fighting for her life; but if you think we were not glad to have her with us in Manila Bay, why, ask Admiral George Dewey. However, the Spanish War is a thing of the past, and the cotton king deals strictly with the present and the future. He must have a still higher price for his cotton, even if the cause of Democracy is to be sacrificed. Not content with his present splendid profits, he insists on even more. I will do him the justice to say that he does not play the hypocrite about the immorality of the ammunition trade. Give him his German market, and for all he cares you may trade in ammunition forever. He does not even pretend that the embargo for which he shouts is anything else than a weapon for the enforcement of compliance with his demands.

THE FREEDOM OF THE SEAS.

I have listened in vain for a clear exposition of the meaning of the German demand for "the freedom of the seas." To whom in time of peace have the seas been otherwise than free for a hundred years past? It is quite true that Great Britain has been the greatest sea power throughout that time, but only the pirates could justly charge her with using that sea power to destroy "the freedom of the seas." After all, some nation must be the strongest at sea. I wonder whether Germany would prove a more considerate ruler of the wave.

But these are war times, and to-day the seas are by no means free. Great Britain claims the right to prevent supplies from reaching Germany. We can hardly blame her for that. That is what a navy is for. Just as an army besieges a city, so a navy beleaguers a country. The purpose in both cases is to force a surrender as a result of hunger and privation. Nothing so surely as hunger arouses the civil population and the army alike to demand relief. So the Germans found, when in 1871 Paris surrendered to avoid starvation. So the North found in 1863, when Pemberton with gaunt famine staring him in the face, surrendered Vicksburg to Grant. "Hunger will compel a man to do almost anything," so ran a significant sentence in the round robin which the Confederate soldiers in the Vicksburg trenches sent their commander five days before the surrender.

Mr. GORDON. Is it the contention of the gentleman that England has had an effective blockade of Germany since the war began?

Mr. GARDNER. If one of the gentleman's constituents will try to get something into Germany he will see what happens to it.

Mr. GORDON. Well—

Mr. GARDNER. No; I can not yield any further. The gentleman does not want to make a serious argument.

Mr. FESS. Will the gentleman yield now? I would like to know whether the gentleman from Massachusetts has exonerated Great Britain for maintaining a blockade of neutral coasts or for her seizing conditional contraband that is consigned to neutral coasts? Is the gentleman exonerating her for that?

Mr. GARDNER. Just at present I do not want to quarrel with a nation which is fighting democracy's battle against Prussian autocracy.

THE PUZZLE OF NEUTRAL TRADE.

But though Great Britain, under the customs of warfare, is entitled to strangle Germany, yet in the process she is not clothed with the privilege of interfering in the legitimate trade of neutrals among each other. The puzzle of neutral trade is how to separate the genuine from the spurious. If in her eagerness to tighten her hold on Germany's windpipe Great Britain has encroached on our rights she certainly should make us ample reparation. I am quite clear, however, that an embargo on our own exports can not be regarded as a wise measure of retaliation, if retaliation is to be our policy.

Mr. OGLESBY. Mr. Speaker—

The SPEAKER. Does the gentleman from Massachusetts yield to the gentleman from New York?

Mr. GARDNER. Yes.

Mr. OGLESBY. I would just like to ask if the reparation would consist in the removing of the encroachment?

Mr. GARDNER. Will the gentleman please repeat that question? I did not quite understand it.

Mr. OGLESBY. The gentleman suggests that if England had encroached she should be required to make reparation. I want to know whether the reparation would be to remove the encroachment.

Mr. GARDNER. Not at the present time. Is that a clear answer?

Mr. OGLESBY. It is clear.

Mr. GARDNER. It is entirely certain that the evanescent evils arising from a temporarily restricted market for beef and copper and cotton are not to be compared with the fundamental evils incident to the passage of this legislation. Should the worst come to the worst, we may console ourselves with this thought: If our beef barons and our cotton kings and our metal syndicates find that they can not get the exalted price for their goods which they seek to garner out of a devious trade with Germany, at all events we have the satisfaction of knowing that they will be forced to sell their product in the home market at more reasonable figures.

WHOSE OX IS GORED?

To return to the line of thought suggested by the gentleman from Ohio [Mr. Fess].

I am not a lawyer, much less an international lawyer. In the matter of international law I am ready to follow our State Department pretty closely. I should feel better satisfied, I confess, if international law were not quite so nebulous. Last January Secretary Bryan wrote a letter to Senator STONE on the subject of neutrality. As a layman I could not help being struck by this passage: "When neutral, this Government has stood for a restricted list of absolute and conditional contraband. As a belligerent, we have contended for a liberal list, according to our conception of the necessities of the case." Apparently in the past even Uncle Sam's view of international law depended a good deal on the question as to the ownership of the gored ox.

REMEMBER OUR IDEALS.

If Great Britain violates our rights, our standing as a nation may ultimately require us to go to extremes. But if we must fight, let us fight like men, not like money changers. Let us not become the ally of the crew which seeks to destroy in a twinkling of an eye the results of three centuries' battles for popular government. I do not believe that this Nation has receded so far from the ideals of the fathers that we are ready to cripple democracy in the supreme moment of its agonizing struggle.

To end the war to-day is to perpetuate the empire of military autocracy, because at the present time the autocratic powers

are still in the ascendant. Who ever heard of the overthrow of a triumphant scepter or of a victorious dynasty?

Another year of warfare would be bad enough; but the subversion of democracy in Europe would be worse. An inconclusive peace would mean another war. Peace in Europe today would be nothing but an armed truce, a mere breathing space. The issue between military autocracy and democracy must be fought out or the world will have no lasting harmony. If by any act of ours Germany's success shall be fostered, God help democracy, and God help our generation's place in the world's annals. Let us see to it that history shall not record the maiming of democracy by the very son of whom she has been the proudest.

Mr. FESS, Mr. FERRIS, and Mr. STAFFORD rose.

The SPEAKER. For what purpose does the gentleman from Ohio [Mr. Fess] rise?

Mr. FESS. To submit a request for unanimous consent. I ask unanimous consent that on the 11th of this month, next Tuesday, after the business from the Speaker's table is disposed of, I be permitted to speak one hour upon our rights upon the sea, at which time I would like to pay some attention to the aggressions of Great Britain on the sea.

The SPEAKER. The gentleman from Ohio [Mr. Fess] asks unanimous consent that on January 11, next Tuesday, after the reading of the Journal and the disposition of matters on the Speaker's table, he be allowed to address the House for one hour on the subject of the aggression of Great Britain.

Mr. FESS. I should like to have that stated "Our rights upon the sea," because I do not agree at all with what Germany is doing. I condemn it, but I do not agree with what Great Britain is doing.

The SPEAKER. Is there objection?

Mr. HEFLIN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. HEFLIN. I desire to ask unanimous consent that, following the gentleman from Ohio [Mr. Fess], I have one hour in which to discuss the cotton situation.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. Fess]?

Mr. FOSTER. Mr. Speaker, I reserve the right to object. I do it because we are getting along with the session now, and it seems to me there ought to be some reservation for the business of the House, so that we could get along without setting apart hours days ahead for speeches. I have no objection to the speaking at that time. What I thought was that it might interfere with the regular business of the House. I do not know what may come up. If the gentleman from Ohio will accept that modification—that it shall not interfere with the business of the House at that time—I shall have no objection.

Mr. FESS. I shall be glad to modify my request in that way.

Mr. MANN. So as not to interfere with appropriation bills or privileged bills. I suggest to the gentleman that he make it that way.

Mr. FOSTER. Yes; I accept that. That it shall not interfere with appropriation bills or privileged bills.

The SPEAKER. The Chair wants to state to the chairmen of committees that unless we want to stay here until next October they will have to bring some bills in here to be considered. [Applause.]

The request of the gentleman from Ohio [Mr. Fess] is to be modified; that his speech is to be subject to the consideration of appropriation bills or any privileged matter.

Mr. FOSTER. Mr. Speaker, I suggest that the qualification should also include any regular bills coming before the House and having the right to come before the House at that time. It might be on the call of committees.

Mr. MANN. Here is the situation: There is no business before the House practically, and the usual opportunity of addressing the House in Committee of the Whole House on the state of the Union is not given to Members now, because we have not yet reached that stage. I do not think the call of committees ought to interfere with speeches like this.

Mr. COOPER of Wisconsin rose.

The SPEAKER. For what purpose does the gentleman from Wisconsin rise?

Mr. FOSTER. I reserve my objection, Mr. Speaker.

Mr. COOPER of Wisconsin. I rise to say that I hope the gentleman from Illinois [Mr. Foster] will not make an objection, in view of the fact that the speech just made, although in a neutral country, was as violent as would have been made in the British Parliament. [Laughter and applause.]

Mr. GARDNER. Mr. Speaker, I ask for the regular order. I demand the regular order.

Mr. COOPER of Wisconsin. We should at least give somebody on the other side an opportunity to be heard.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. Fess]?

Mr. FERRIS. Reserving the right to object, Mr. Speaker—a thing which I shall not do—I want to remind the House that we have one more bill here that we are anxious to get through. It was reported the first day of the session. I think we can get the bill out of the way by that time, but—

Mr. MANN. The gentleman can get his bill up next Wednesday, anyway. He could not get that bill up on the call of the calendar except by unanimous consent. It is a Union Calendar bill.

Mr. FOSTER. Does the gentleman mean the bill that is now pending before the House?

Mr. MANN. No. An order has already been made to cover that.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HEFLIN. Mr. Speaker, I desire to address the House, following the gentleman from Ohio, on the cotton question.

The SPEAKER. Subject, of course, to the same conditions imposed in that case?

Mr. HEFLIN. Yes.

The SPEAKER. The gentleman from Alabama [Mr. Heflin] asks unanimous consent that he shall be permitted to address the House for one hour, following immediately after the gentleman from Ohio [Mr. Fess] concludes his speech, on the same conditions as those applying to the permission given to the gentleman from Ohio. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. When?

Mr. STAFFORD. Now.

The SPEAKER. The gentleman from Wisconsin [Mr. Stafford] asks unanimous consent to address the House for 10 minutes at the present time. Is there objection?

Mr. MANN. Reserving the right to object, at the end of that time will the gentleman from Oklahoma [Mr. Ferris] quiet the waters by then moving to go into committee?

Mr. FERRIS. I will. I am trying to get recognition now. I am not objecting to that request, but I am trying to get the bill up.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER. The gentleman from Wisconsin is recognized.

Mr. STAFFORD. Mr. Speaker, were it not for what I consider a base libel made by the distinguished gentleman from Massachusetts [Mr. Gardner] on a great number of loyal American citizens in this country, I would not rise at this time to resent the base and false charge that he made, in which he said that the German-Americans of this country, by gold and by dynamite, were purposing the destruction of ammunition factories.

I come from a constituency that has as large a representation of those German-Americans, naturalized citizens, as there is in any part of the country. I know them by reason of brushing up against them. I know they are liberty-loving, law-abiding citizens. In my own district, surrounded by thousands upon thousands of these German-Americans, there are being manufactured to-day, and there have been manufactured for several months past, munitions for the allies without guards and without any question whatsoever that those munitions' plants are safe and secure. And yet we find a distinguished Representative coming on the floor of the House in these troublous times, when we should weigh carefully what we say in the House of Representatives, uttering these base charges against as loyal, liberty-loving Americans as can be found anywhere, based upon some idle newspaper story. [Applause.]

Why, if he wants to improve his standing rather than degrade it to the low gutters of yellow newspaperdom, he would have cited more warrant for such a charge than to say that it is in the headlines of some metropolitan newspapers. There may have been some upon whom, perhaps, the tinge of suspicion attaches as to the destruction of munition plants, but those charges can not be leveled and massed against 8,000,000 of German-Americans who in times past have shown their loyalty to the flag. [Applause.] Who here in whose veins flow any Teutonic blood but what sympathizes with the fatherland? But mere sympathy

for the fatherland does not conflict with the loyalty to the Stars and Stripes. [Applause.]

If Germany or Austria-Hungary should attempt by any deliberate act to insult our Government or to invade our rights, I am sure that these German-Americans who in times past have shown their loyalty would respond to the colors nobly, and not as some of the volunteers from effete New England in the Spanish War did when they enlisted in that little war, against a little and crumbling country, when after they enlisted they had their mothers go and beg the governor of Massachusetts, Gov. Wolcott, not to send them to the front. [Laughter.] I know whereof I speak, because I, too, was at Harvard; but I am thankful that I did not have the aristocracy of New England affect my democracy, nor has it affected my true loyalty as an American. I do not come upon this floor to-day advocating the pro-German side [applause], not like my distinguished Spanish-American war veteran, advocating the cause of England in the Halls of Congress more strongly than a Briton could advocate it in the House of Commons. No, Mr. Speaker; I rose merely to resent this base, disloyal charge, and I hurl it back as unworthy of the man, as unworthy of any American, to be arraigned against these millions of men, who in times of danger in the past have always shown their loyalty first and above all to the flag that we all dearly love—the old Stars and Stripes. [Applause.]

WATER-POWER DEVELOPMENT ON PUBLIC LANDS.

On motion of Mr. FERRIS the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 408) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, with Mr. HARRISON in the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill for amendment.

Mr. PARKER of New Jersey. Mr. Chairman, I have an amendment to section 1.

Mr. FERRIS. Mr. Chairman, as I understand it, we have read the first section, but the committee amendments have not been agreed to.

The CHAIRMAN. That is the understanding of the Chair.

Mr. FERRIS. I ask that the committee amendments be voted upon.

The CHAIRMAN. The Clerk will report the committee amendments.

Mr. PARKER of New Jersey. Mr. Chairman, after the committee amendments are disposed of, I desire to offer an amendment.

The CHAIRMAN. The Chair will recognize the gentleman.

The Clerk read as follows:

Page 1, line 9, after the word "or," insert "of."

The amendment was agreed to.

The Clerk read as follows:

Page 1, line 9, after the word "thereof," insert "or to any State, county, municipality, or irrigation district."

The amendment was agreed to.

The Clerk read as follows:

Page 2, lines 12 and 13, strike out the words "chief officer" and insert the word "secretary."

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 15, after the word "not," insert "destroy, materially."

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 15, after the word "injure," strike out the word "destroy."

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 21, after the word "municipality," strike out the word "or."

The amendment was agreed to.

The Clerk read as follows:

Page 3, lines 1 and 2, strike out the words "valuable for" and insert the words "susceptible of."

The amendment was agreed to.

The Clerk read as follows:

Page 3, line 2, after the word "development," insert the words "including distribution."

Mr. MANN. Mr. Chairman—

Mr. RAKER. Mr. Chairman, in the amendment to lines 9 and 10, on page 1, to insert the words "or to any State, county, municipality, or irrigation district," it did not seem to me that the Clerk read all the words.

Mr. MANN. He read them all. All the amendments to section 1, except the one last read, have been agreed to.

The CHAIRMAN. It is the understanding of the Chair that all of them have been agreed to.

Mr. MANN. What is the reason for this amendment to insert the words "including distribution"?

Mr. FERRIS. That is in the preliminary permit.

Mr. MANN. Yes. Why is it necessary to give somebody the right to occupy land which might be used for the distribution of power, and how far would that go? It is evidently inserted for some reason. I suppose the department has given the reason to the gentleman's committee.

Mr. FERRIS. The gentleman from California [Mr. RAKER] says he remembers the statement which was made about it.

Mr. RAKER. There might be a tract of land 100 feet wide that the party desired to use for the purpose of investigating to see whether or not he wanted to run his line at that particular place or desired to build his canal there or to use for other purposes strictly connected with the line; and the idea of the committee was that he be given the opportunity to take that land and use it for the purpose of experimenting and surveying and developing to that extent and that only.

Mr. MANN. I understand the reason for authorizing the preliminary occupation of land which may be susceptible of water-power development. That could only occur where there was some possibility of water power; but so far as the distribution is concerned, while the gentleman says the land might be 100 feet wide, it might be 1,000 miles wide. There is no limitation at all. If a man asks for a preliminary permit for the occupation of land for distribution, and says he does not know where the line is going to run, he may have a permit to occupy all of the land within a radius of many miles. Now, is that desirable?

Mr. RAKER. No; that is not the purpose, and if the gentleman will recall he knows that the land used for the purpose of building distribution lines is practically always 100 feet wide.

Mr. MANN. That is when you know where it is going.

Mr. RAKER. And in the case of a preliminary permit the Secretary would not extend it beyond that limit. Now, it is quite important to have the opportunity to make a survey so that a man may know just what land he wants when he gets his permanent lease.

Mr. MANN. No; but the man may not be able to tell where the distribution line is to run, and he may make application for the whole territory for the purpose of preventing somebody else getting in there.

Mr. RAKER. No.

Mr. MANN. That is what it will result in.

Mr. RAKER. The same thing might apply to taking land for water-power purposes or reservoir sites. He has to take a sufficient tract of land, and then he has to put his surveyors and engineers on it to determine what he can do with it—the size of the dam and where the line will go—and he ought to have permission to use the land for that purpose. That is what it is for.

Mr. MANN. I think I understand that there may be reasons for letting a man have a chance to look over a piece of land where he is going to run a line; but to give him practically unlimited authority, to say that he shall have occupation of all the land in the neighborhood, on the ground that he does not know where he is going to run his line—that is what will happen—it seems to me that goes altogether too far.

There ought to be some limitation there, although I have none to suggest. The gentleman can see that there will be many contests where you give somebody the favor of occupation. It will be a favor granted to one man against another. There may be a dozen looking at it at the same time, and you absolutely cut off the rights of all the others. You may do a great deal of unfair damage.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. FERRIS. This was an amendment not in the original bill but went into it in committee. I do not think it is of any great importance, although I think the gentleman from Wisconsin [Mr. LENROOT] has some ideas upon it. This is the testimony on which it was based. It was brought to our attention by some engineers that sometimes large expenditures, reaching up to a million dollars, are made in making surveys and investigations to determine whether or not it is a feasible proposition to install a plant; taking the water flow at different periods of the year, studying the topographic map; and it was also brought to our attention that frequently quite far-reaching surveys were necessary in order to determine the right of way and questions lead-

ing up to distribution. It may be that the amendment does not accomplish that, and that it goes farther than it ought to.

Mr. MANN. I have no amendment to suggest; but we all know that in legislation of this kind, if we insert loose language, in the end some one gets an unfair advantage from it. They make use of every possible syllable in a bill, including the punctuation, in getting favors which sometimes ought not to be granted. I do not know; it is possible that this may be controlled by regulations to be issued.

Mr. FERRIS. I wish the gentleman would withhold his conclusions upon the matter until the gentleman from Wisconsin [Mr. LENROOT] has a chance to say what he wishes.

Mr. MANN. I simply called it to the attention of the gentleman, hoping that he would call it to the attention of the department.

Mr. BENNET. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. There is a committee amendment pending that is not yet disposed of. The committee amendment is the amendment, on page 3, relating to distribution.

Mr. MONDELL. Mr. Chairman, I desire to be heard on this amendment. As to the matter discussed by the gentleman from Illinois, I am not certain that there is very much danger of anyone being denied their rights under the proviso which has been discussed. It has never heretofore been considered necessary to give an applicant for any sort of right of way a permit to survey and investigate. We have been granting railroad rights of way and irrigation rights of way for a great many years, and the grant of rights of way are all preceded by careful investigation and surveys and mappings, and it has never been considered necessary to grant anyone an exclusive permit for that purpose.

There have been places and conditions under which two or three parties were examining the same area at the same time with a view of constructing a railroad, with a view of putting in a power plant, with a view of building an irrigation work, but there have been no serious difficulties between such parties because the work to be done is a work of investigation, a work of engineering, a work of surveying, and several parties can occupy the same territory at the same time without seriously conflicting with each other. As a matter of fact, however, the lease must eventually be granted to the man who has the water right. So that after all, if the Secretary grants a permit of this kind to one who does not have a right to use the water, it could do him little good. It would simply keep the party having the water rights waiting for a certain period of time. At the expiration of the period of the permit he could go on and make his survey. I doubt if there is any necessity for this provision as I suggested last year when the bill was under discussion. This is not the sort of legislation where a permit to prospect is needed because the character of the preliminary work is such that it can be carried on by several parties at the same time without conflict.

Mr. BENNET. Mr. Chairman, I have been in doubt whether I should vote for this bill, but I rather think on the whole that I shall. I regret it because during the years I was in Congress before I used to follow rather implicitly the gentleman from Wyoming [Mr. MONDELL] on these questions. I voted with him once when there were only 36 men in the whole House with us. I listened to him the other day with a good deal of sympathy, although it did sound to me as though his attitude was one of sorrowing without hope.

The tendency of this bill ought to attract a little attention. It is not entirely good; it is another step toward a commission government which is doing a good deal of breaking down of our old system. There is only one man in this House that has an absolute right to seriously rejoice in this bill, and that is the gentleman from the twelfth district of New York, because this is a step toward socialism. I am going to vote for it, but I want to say now that I am not wholly in favor of this commission government that we are getting into. It used to be that the word "president" was a strong word in this country, but it is not nearly so strong now as the word "commissioner." We are governed all around and altogether and all too much by commissions, and that is what this bill is doing.

They are putting a tremendous power in this country in the hands of what is substantially a commission. Consider what our daily life is in a great city, so far as commissions are concerned. In a city like Chicago or New York or Boston or almost any large city a man gets up and turns on the water in his bath, supplied by the commissioner of electricity, gas, and water supply, and in our city it takes two commissioners for a man to get a bath.

Mr. MANN. I suppose that accounts for the fact that New York is so seldom bathed. [Laughter.]

Mr. BENNET. It might. We do not have to bathe so often as they do in Chicago, where they have all of that smoke. [Laughter.]

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Certainly.

Mr. MONDELL. Do I understand the gentleman is supporting the bill because in this case the commission, instead of being within the reach of the party over whom it has jurisdiction, is 1,800 or 2,500 miles away?

Mr. BENNET. I am supporting the bill absolutely without any pride and with very little defense. [Laughter.] I started to say that when a man takes a bath in a big city he has to have the assistance of two commissioners; at least he has in New York. Then he goes in to the breakfast table and eats his breakfast food with milk which is pasteurized, grade 2, certified to by the commissioner of public health. He eats his roll, which is baked in a bakery that is licensed by the commissioner of public health. He then rushes out after breakfast and stops on his way to buy a newspaper at a stand on the street, which stand is located by the commissioner of public works. He goes down into the subway, and the exact location of the station has been determined by the public-service commission. If on the way he wants to telephone, he uses a telephone that is regulated by the public-service commission of the second department. He goes down town in a subway regulated by the public-service commission of the first department. If he happens to be a Congressman, after he has gotten through with his day's work he goes to Washington, he rides on a railroad whose rates are regulated by a commission.

The only thing that a man in his hasty process from the bath to his office in the morning does without the assistance of a commission is to kiss his wife good-bye, and now in the State of New Jersey, in certain parts, that is being interfered with by public officers of the law. The tendency is not good. My friend from Wyoming [Mr. MONDELL] the other day challenged those who were going to vote for this bill as Hamiltonian Federalists. I am one of those.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BENNET. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BENNET. Mr. Chairman, when I was in Congress before I looked very carefully over the provisions of the Federalist, because I saw this tendency; and because we were breaking down the power of the separate States, and in so far as we are interfering with their efficiency as arms of the public service we are doing the whole country an injustice. Why, there is a perfectly terrific provision in the ninth paragraph of this bill, which says to some State in the West—and I understand it is only one State—"Until you establish a public-service commission the Secretary of the Interior is going to run your water power." Imagine saying that to a State! I can say for the State of New York that a public-service commission is not an unmixed blessing. We have just had one public-service commissioner removed for violating the law and two others have resigned while under investigation. The greatest scandal that we have in the State of New York at present is in connection with the public-service commission. Then, I am told, they do little things like this: A certain man made a bid on a contract over there. He was the low bidder. He was so low that everybody was rather afraid. A part of the route upon which he bid went under a big building erected a hundred years ago and nobody knew anything about it. But he bid with confidence and he got the contract. After he got the contract the public-service commission issued an order that the building should be torn down, and they paid this contractor several hundred thousand dollars for extra work. He did not have to go under the building. Of course he made a lot of money. It is that sort of thing that we are running into with public officials who are not responsible to the people.

Coming back to the Hamiltonian Federalist, you can search the Federalist from end to end and you will not find a single sentence by any one of the men who wrote any of those papers in which they attacked the power of the State over its strictly internal affairs; and, as a matter of fact, in one of the papers by Mr. Madison you will find the statement made, as a matter of course, that the power of a State to regulate its internal affairs is necessary to the maintenance of our form of government. Yet here in the ninth paragraph of this bill is a provision that no party would have dared put into a bill 10 years

ago. Where does it come from? It comes now from the party that has prided itself on its history as an upholder of the doctrine of State rights! Yet they say to—I think it is Utah—"You must establish a public-service commission or our Secretary of the Interior will come in and run your strictly internal State rights." It is all wrong. I am going to vote for the bill because it is the best thing that is proposed. If my friend from Wyoming Mr. MONDELL has a substitute, I shall probably vote for his substitute first, and then after we are beaten—as we will be, because I think I see the temper of the House—I shall vote for the bill because we have to develop those water powers. I felt that before I voted for it I should call the attention of the House to the direction in which we are drifting, which is away from the magnificent struggles of individualism that for more than a century have built up this great country toward what I regard as the evils of socialism. [Applause.]

Mr. FERRIS. Mr. Chairman, the legislation under consideration can hardly be held responsible by either friend or foe for all of the ills that may be present in the Commonwealth of New York. Fearful that we may get too far afield from New York, let us for a moment consider what the trouble is up there. In the State of New York they have 449 electric stations and they have 20 corporations that own 81.4 per cent of the total developed water power up there, and 14 of these 20 control 74.3 per cent of the water power. Five companies control over half the total water power and two control one-third of the water power. Forty municipalities have four-tenths of 1 per cent of the water power and six-tenths of the total power. So the trouble of which the gentleman complains comes from the fact that 20 corporations own his State and the municipalities own only four-tenths of 1 per cent of the public utilities there.

Mr. BENNET. Mr. Chairman, we are not in any trouble in New York. As a matter of fact, we have developed electric power wonderfully. I was talking about troubles to come from this legislation. As a matter of fact, the gentleman has simply missed the sermon on my text. Under the old-fashion system of individualism under good old Democratic doctrine of Thomas Jefferson that State which is governed least is governed best. We in the State of New York, without help from the Federal Government, but through the instrumentalities of our own citizens, have grappled with the question and built up a tremendous water-power development, and we are proud of it.

Mr. FERRIS. I thought a fair inference of the gentleman's former remarks was that he was smarting under all sorts of commission government and all sorts of commissions, and I thought I might be able to give a few instances of what the real trouble was. Suffice it to say that had this legislation been in vogue at an earlier age he would have been free from the troubles of which he complains and all would have been rosy both with the gentleman and his State.

I know the gentleman is speaking in the height of good humor, for he stated he was supporting the bill, but it is well that the facts also be known.

Mr. LENROOT. Mr. Chairman, I was exceedingly surprised to hear the speech just made by the gentleman from New York [Mr. BENNET]. He does not seem to be aware that this is the year 1916. He is talking in the age of 1796. Why, Mr. Chairman, the gentleman's position evidently is this: He complains of being regulated by commissions because he does not like commissions and therefore does not want these public-service corporations regulated at all. Rather than have the electric service of New York City regulated by a commission he would prefer that the people of New York be compelled to pay such charges for electric light as that company may choose to charge. Rather than be regulated by a water commission he would rather subject the people of New York to pay such charges as the water company chooses to charge. Rather than be regulated in reference to the urban railway system of the city by a commission he prefers to permit that company to charge 10 cents or 20 cents where they are now being charged 5. Rather than have a railroad regulated by a commission he would prefer that they pay a charge twice as much as charged to-day. That is the situation that the gentleman from New York is in. But when he talks about a paragraph of this bill being so much more Hamiltonian than anything Alexander Hamilton ever stood for—the gentleman is one of the most intelligent in this House when he knows the subject he is talking about [laughter]—but it is very evident that he has not any conception of the principles underlying this bill, because if he had even read the bill he would have known that it is a matter of contract between the company that chooses to take a lease from the United States Government of its own land, and by that contract the lessee says that he will agree until there is some regulation of his company in the State in which it is situated; he is willing that the Secretary of

the Interior shall regulate it. That is all there is to it. [Applause.]

Mr. HUMPHREY of Washington. Mr. Chairman, I have just listened to the gentleman from Wisconsin reassert what he stated the other day, that a leave under this bill was the same as a contract between private individuals.

It does seem to me the gentleman must be aware of the sophistry in the argument he makes upon that point. It is not the same as a contract for leave between two private parties by any manner of means. When you wish to construct a water-power plant in our portion of the country and some man does not want to do what is right or reasonable about it, we have a way to compel him. We can go into court and condemn the land for public purposes. Now, that is what you do in dealing with private parties, but that is not the case here at all.

Mr. LENROOT. If that is not done, has not the private party the right to make the same protest as in the contract here proposed?

Mr. HUMPHREY of Washington. We can compel a private party to do what is right in the interest of the public; but the proposition in this bill is to place those who wish to develop water power just where the Government can absolutely coerce them to make such contract as it wishes. If that were done by a private party, we would call it by the polite name of blackmail. We have no power to compel the Government to act justly in this matter. The Government says that you can come and construct your water power not upon terms or conditions as those with a private party, because if we could not agree with a private party we could go into court and reach a just conclusion; but here the Government says you shall not only pay us what we say it is worth, for the land we own, but—

Mr. LENROOT. The gentleman's position, then, is, he desires that the State should have the right to assert control and ownership of the public land of the United States, which his own State expressly declared it never would.

Mr. HUMPHREY of Washington. The position of the gentleman in regard to water in his State is that the State has the right to control that water, and that we do not believe that the Government ought to take the position of a blackmailer and compel us to pay something more than it is worth. That is exactly the position of the gentleman.

Mr. LENROOT. We are not attempting to control the water in the State of Washington or in any other State in this bill in that way.

Mr. HUMPHREY of Washington. Now, there is another thing about it, and it shows in the gentleman's speech, and I have read it all the way through, and it is one thing that I resent, not only in this argument but in all of them. All through this discussion there runs the idea that the people out in the West, where they have this water power, either do not have the honesty or the ability to properly conduct their own affairs. Constantly that argument is made. And the gentleman from Wisconsin [Mr. LENROOT] said three or four times in his talk the other day that we might as well understand that we are not going to monopolize this power.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BENNET. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. He [Mr. LENROOT] says you might as well understand you are going to get this bill or you are not going to get anything. We think those who live in the West are just as honest and just as intelligent as the average of people anywhere else, and we do not claim to be any more so, and we think we know just about as much of conditions in the West as anyone else.

Now, I want to call attention to this argument that has been made and constantly reiterated. Those in favor of the bill say they have no idea of controlling the water, or the use of the water, or sale of the water. But that is what they do. Now, let me give you an illustration. Suppose they are developing a water power and as they develop it they cross a piece of public land. They do not pretend that they want to charge what that land is worth. If they wanted a reasonable lease for the land, we would have no objection. But they want you to put a valuation on the power that is to be developed from that water, not the value of that land but value of the water, which they disclaim they own.

Now, if they take that position and insist upon it is not that coercion? Where does the element of contract come in? Talk about it being as a contract between two parties! When you make a contract the minds of the parties meet and agree. But

here the Government says pay what I say or you will get no lease.

I asked the gentleman who has charge of this bill a question the other day, and I have asked the same question a good many times. I asked it of those who represented the Government at that famous meeting we had in Portland. None of them, however, answered or attempted to answer it. I asked the question one night at the banquet we had at Portland. There we had the conservationists representing the Government as well as those who were opposing the bill. The question was, "When you take this property back, what are you going to do with it?" Do you propose at the end of 50 years for the Government to go into the business of furnishing power for cities, for irrigation, for all the different power purposes?

Mr. FERRIS. Will the gentleman yield?

Mr. HUMPHREY of Washington. Certainly.

Mr. FERRIS. The gentleman might as well ask, assuming that his home city grants a franchise of 20 or 30 years, if they are going to run street cars after that franchise has expired. The question answers itself.

Mr. HUMPHREY of Washington. That may be true in the opinion of the gentleman. But wait until I get a little further. Suppose the Government takes over the property, is the Government going to pay taxes to the State?

Mr. FERRIS. Does the gentleman want an answer to that?

Mr. HUMPHREY of Washington. Yes.

Mr. FERRIS. I never will, by my vote—and I hope it will not be done by any considerable vote on the part of Congress—turn the State of Washington loose to tax any part.

Mr. HUMPHREY of Washington. That is the best answer I think that can be made. I leave it to the gentlemen who are listening as to whether it is an answer or not. You do not answer the question whether you intend that the Government shall pay taxes. Is the Government going to pay taxes to the State? You say no. Then, what are you going to do? You are going to build up a great industry, with millions of dollars' worth of property, furnish electric light, power to electric railways, furnish power for irrigation property worth tens of millions of dollars, exempt from taxation, and in competition with others who are paying taxes. Is that what you are going to do?

Mr. SHERLEY. Will the gentleman yield?

Mr. HUMPHREY of Washington. I will.

Mr. SHERLEY. Does the gentleman mean to tell this House that the leasehold, and so forth, of a lessee from the Government, who establishes his plant and is engaged in the furnishing of electricity—that that property, not the land but the property, including such leasehold that it used in making electricity, is not subject to State taxation? Is the gentleman aware of the decision of the Supreme Court to the contrary?

Mr. HUMPHREY of Washington. I never said a thing of that kind. I did not even intimate it.

Before I leave that subject, I want to go back to that question of what you are going to do after you recapture the property. You can say that those things are indefinite, that they can be settled at the end of 50 years, that we need not necessarily anticipate trouble. Let me call your attention to the fact that you are not going to get development in the West with those uncertainties. Fifty years is a long time for an individual. Victor Hugo says in one of his books that 100 years is youth in a church and old age in a dwelling. Fifty years is a short time in the life of a State. What class of investments are you going to get under these conditions? Simply speculative. Men who are willing to take chances, not the class that is really desirable.

The CHAIRMAN (Mr. GARNER). The time of the gentleman has expired.

Mr. HUMPHREY of Washington. May I have three minutes more?

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of 25 minutes' debate the debate close on this amendment, 5 minutes of the time to be granted to the gentleman from Washington [Mr. HUMPHREY], 5 minutes to the gentleman from Kentucky [Mr. SHERLEY], 10 minutes to the gentleman from New York [Mr. BENNET], and 5 minutes for myself.

The CHAIRMAN. The gentleman from Oklahoma [Mr. FERRIS] asks unanimous consent that at the expiration of 25 minutes all debate on this amendment be considered as closed. Is there objection?

Mr. JOHNSON of Washington. Reserving the right to object, I would like five minutes.

Mr. MONDELL. What was the request?

The CHAIRMAN. Is there objection?

Mr. FERRIS. To what, Mr. Chairman?

The CHAIRMAN. To the request made by the gentleman from Oklahoma, that at the end of 25 minutes all debate on the amendments be closed. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Chairman, I wonder if we could not reach some agreement about closing the debate on the entire section.

Mr. FERRIS. I think the pending amendment is all there is in the section that would provoke debate.

Mr. MANN. Several gentlemen want to be heard; that is the situation.

Mr. FERRIS. There is only one other important committee amendment.

Mr. MANN. This is the last committee amendment to the section. If we could make an agreement as to the time to be consumed on the section I think it would be wise.

Mr. STAFFORD. The gentleman from New Jersey [Mr. PARKER] has two amendments which he wishes to offer, and he has left the Chamber.

Mr. MANN. We will take care of it on this side. The gentleman from New York [Mr. BENNET] wants five minutes, and the gentleman from California [Mr. KAHN] wants five minutes, and the gentleman from Wyoming [Mr. MONDELL] wants as much as he can get. [Laughter.]

Mr. MONDELL. If the gentleman will allow me, on this paragraph I would like to have five minutes.

Mr. FERRIS. Then, Mr. Chairman, I withdraw my request.

Mr. MANN. I think it would be wise to fix it so as give to each gentleman desiring time the time he wants now.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. LENROOT. I think if liberality is allowed here we can thrash out some propositions and get along faster in the end.

Mr. MANN. Fifty-five minutes or an hour, Mr. Chairman, is desired on this side.

Mr. FERRIS. A little time is wanted on this side.

Mr. MANN. It will take an hour. I think it would be wiser to ask for an hour.

Mr. FERRIS. Well, will an hour and a half be agreeable?

Mr. MANN. If you give us an hour, I think that would be the easiest way.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of an hour and a half, one hour to be controlled by the gentleman from Illinois [Mr. MANN] and half an hour to be controlled on this side, all debate on this paragraph and amendments thereto be closed.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that at the expiration of an hour and a half, one hour to be controlled by the gentleman from Illinois and the half hour to be controlled by the gentleman from Oklahoma, all debate on this paragraph and amendments thereto be closed. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, Mr. Chairman, I would like to ask the gentleman from Oklahoma if he will yield to me three or four minutes?

Mr. FERRIS. There is an hour on that side and only 30 minutes here. Will not the gentleman be willing to get his time over there?

Mr. MOORE of Pennsylvania. Yes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from Washington [Mr. HUMPHREY].

The CHAIRMAN. The gentleman from Washington [Mr. HUMPHREY] is recognized for five minutes.

Mr. HUMPHREY of Washington. Mr. Chairman, there is one other proposition connected with this bill to which I object because I do not think it is fair to the Western States, and I want to call it to the attention of the gentleman who has the bill in charge. The objection is to the proposition regulating the payments provided in these leases by charging a certain amount upon the power developed. Take it out in my country, where you have water power—and in order to produce water power you have to have a great mountainous country—this power is one of our resources.

The gentleman from Wisconsin [Mr. LENROOT] expressly says that the water belongs to the State, and yet it is proposed to tax that resource which belongs to the State and to pay a portion of that tax to the General Government.

That is a special assessment, a taxation of the resources of our State for the benefit of the whole country, and that is not equality under the Constitution to which we are entitled. It is just the same as if, in the city of Seattle, they should take a special neighborhood and assess it and take the money and put it into the general funds of the city because that particular

portion of the city might have some special resource that the other portions did not have.

Now, there is another point that has been made, and I want to call the attention of the Members of the House to the unfairness of it. I do not say that the gentlemen making the argument mean to be unfair, but we have heard it repeatedly reiterated on the floor of the House here that certain water-power companies control 75 per cent of the water power in the State of California, or 60 per cent of the water power in the State of Washington, and so on. The gentleman from Oklahoma [Mr. FERRIS], when I called the matter to his attention the other day, admitted that what he meant was a certain percentage, as named, of the water power that had been developed. Why, gentlemen, it has not been but a few years since a Siwash Indian erected a fish wheel upon one of the rivers of my State for the purpose of catching salmon, and at the time this Siwash Indian absolutely controlled 100 per cent of the water power in the State of Washington. He was a grasping monopolist. He controlled all the water power of the State in exactly the same way that the present companies control a certain per cent of it.

When they make that statement they do not explain that they mean merely the water power that has been developed. When they say that there is a monopoly of the water power of that country that can be developed they are not stating the facts, because there is no such monopoly. The monopoly of which they complain is only as to that which is already developed. Not only men on the floor of this House have been misled by that statement but the country has been misled by those statements.

Now I yield back the balance of my time.

Mr. FERRIS. Mr. Chairman, will the gentleman yield there?

Mr. HUMPHREY of Washington. Yes.

Mr. FERRIS. Inasmuch as the gentleman quoted indirectly a little colloquy between himself and myself the other day, stating that I conceded something in error about these figures—

Mr. HUMPHREY of Washington. No; I said you frankly corrected the statement when I called your attention to it. You did it very properly.

Mr. FERRIS. What statement was it?

Mr. HUMPHREY of Washington. The gentleman stated that a certain percentage of the water power in the State of California was being controlled by one or two companies, and I asked him if it was merely the water power that had been developed. The gentleman was fair about answering, and said yes.

Mr. FERRIS. Yes. Mr. Chairman, let me give the figures here, and then there will not be any controversy about it afterwards. There are 116 water-power stations in the State of Washington, the gentleman's State, as follows:

Stone & Webster, 11 stations, 25.8 per cent; Washington Water Power Co., 4 stations, 28 per cent; Spokane & Inland Empire Railroad Co., 1 station, 6 per cent; American Power & Light Co., 11 stations, 4.2 per cent; Northwestern Electric Co., 1 station, 5.4 per cent; Olympic Power Co., 1 station, 2.9 per cent; Great Northern Railroad Co., 1 station, 2.6 per cent; Lewiston-Clarkston Improvement Co., 1 station, 1 per cent; Wenatchee Valley Gas & Electric Co., 3 stations, 1.5 per cent; Inland Portland Cement Co., 1 station, 1.2 per cent; Federal Light & Traction Co., 1 station, 0 per cent; Washington-Oregon Corporation, 2 stations, 0.3 per cent; municipal stations, 12 stations, 16.5 per cent; all other stations, 66 stations, 4.6 per cent.

Mr. LENROOT. I yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Chairman, as we listen to the wails that come up from certain distinguished gentlemen from the West it might lead some of us to believe that this is a bill intended primarily for the abuse of the western communities. I assume that these gentlemen would have us understand that they are speaking here on behalf of the interests of the communities which they represent. They say something about a difference here between the conditions where private ownership prevails and where public ownership prevails, and they seem to bewail the fact that the water-power interests, under the power of eminent domain, can not condemn these public lands, as they say can be done to lands in private ownership; but they overlook the fact that the right to condemn under the power of eminent domain in case of private ownership is not a power vested in the individual who invokes the right, but is a power of the public, a power of the Government itself, which, for the general good, permits this private land to be taken for a public benefit. Now, here is land which is already owned by the Government. It is public land—

Mr. McARTHUR. Will the gentleman yield?

Mr. CRAMTON. In five minutes I really can not yield. Now, we are endeavoring to take this public land and devote it, not to a private use, but to the public use for the good of the communities which you gentlemen represent in the West; and may I say to these western gentlemen that the expense of the

operation and administration of all of this is borne by the Federal Government, which gets no return, not one penny. We pay even the cost of administration. This section 9 which is put in here is not for the protection of any individual and is not for the benefit of the General Government, except as the General Government benefits by the prosperity of any community; but it is in order that this public land which we turn over for a public use shall inure to the public good, and not to some grasping monopoly which will fix its rates without regulation. So we provide that the rate charged for the power developed here shall be fixed by some public authority, and if none exists in the State, then the Federal Government will supply it, simply carrying into effect the means of seeing that something which belongs to the public shall result for the public good, and seeking primarily the good of your western communities now and in the future.

Mr. LENROOT. How much time does the gentleman yield back?

The CHAIRMAN. Two minutes.

Mr. LENROOT. I yield three minutes to the gentleman from New York [Mr. BENNET].

Mr. BENNET. Mr. Chairman, I rise to correct an impression that exists in the mind of my friend from Wisconsin [Mr. LENROOT] that I have become a hard-shell reactionary and want to be charged three or four prices for everything. I do not. He overlooked one very important part of my speech. I said I was going to vote for the bill. I shall vote for it, because I recognize that with all its imperfections there is a real situation out there that has to be met, and this seems to be the most practical way of meeting it. I regret several things about the bill; first, that it is going to add to the burden on the Public Treasury some hundreds or thousands of men. Nobody seems to worry about that, but we ought to worry about it; second, it is a blow at individualism; third, it weakens the powers of the State.

There are other things that I could mention about the bill that I do not like, but as a practical man I am going to vote for it in spite of the tendencies I have pointed out. And as this is a forum of free, open, frank discussion, it did seem to me that having those views in my mind I owe to the country, which we in the aggregate represent, a duty to point out here the direction in which we are not drifting, but the direction in which we are being driven by the logic of events, to the end that if there is some way by which we can attain the same useful, practical end that we all want to attain, without the dangers we run in this way, it can be found. We will in our imperfect, human, finite capacities in the meantime do our best by voting for the best thing that is presented from time to time.

If I have any time left I yield it back.

The CHAIRMAN. The gentleman yields back one-half minute.

Mr. LENROOT. I yield five minutes to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Chairman, there is no doubt that this bill will pass, but the suggestion made by the gentleman from New York [Mr. BENNET] ought to cause some of us to pause. I was greatly interested in what the gentleman from Michigan [Mr. CRAMTON] said a few moments ago. The gentleman from Michigan is, of course, a thorough conservationist. The State of Michigan has cut down all its timber; it has practically none of its timber lands left, and, seemingly, now wants to protect the States of the far West from themselves.

Mr. SHERLEY. Will the gentleman yield?

Mr. KAHN. I can not yield now. Suppose at the time Michigan was being populated and developed the Federal Government had stepped in and drawn a line around 800,000 acres of land, withdrawn that land from entry, and said, "This is a forest reserve;" and then had gone into another corner of the State and drawn a line around 300,000 additional acres and said, "This is a national monument." Does the gentleman feel that the great State of Michigan would have been peopled and would have developed as it has been developed? And yet they are taking enormous areas out of the public lands in the far Western States and thereby preventing the development of the West. Take the matter of water power; I have frequently gone through New England—

Mr. CRAMTON. Will the gentleman yield?

Mr. KAHN. I can not yield now for I have only five minutes. New England owes its enormous development to its water power.

Mr. HILL. Will the gentleman yield?

Mr. KAHN. I can not yield now.

Mr. HILL. I want to controvert that proposition.

Mr. KAHN. I have gone through the State of Massachusetts repeatedly, and have seen one mill after another on the streams in that State. The mills in large measure get their power from

those streams. They have built up their enormous factories with that power. It is a wonderful thing to see how varied industries have grown and expanded in that section of the country. They use, largely, water power. But suppose, after the first six or eight factories had been erected on those streams, the Federal Government had stepped in and had said, "Gentlemen, you can not use any more of this power. Every new mill, every new factory will have to pay something into the Treasury of the United States if they want to use it, and we will only let them use it for a term of 50 years." Does anyone believe there would have been the wonderful development of the industries of the State of Massachusetts that there has been? Of course not.

So we say that we know the conditions in the West, and that this legislation will hamper the development of that section of the country. There are other ways of regulating the use of power. I believe that the opportunity should be given to capital to develop power sites without the imposition of overhead charges that existing companies do not have to pay. I would invite capital to go into the business of the development and sale of water power. I would permit them to meet the existing companies on equal terms. Then if they make combinations for the purpose of forcing up rates, if they do those things that tend to create monopoly, I would even have a condition in the grant that would work the forfeiture of the franchise. But conditions such as are found in this legislation simply tend to foster monopoly. These people who are already in the field and who paid nothing into the Federal Treasury for their grants, who developed their power sites before any restrictive laws were enacted, can underbid, can undersell any new dealers in power who would have to pay something into the Federal Treasury in just the amount the new competing companies pay into the Federal Treasury. Does anyone believe the new company could survive such competition? Gentlemen, this bill will keep capital from the development of new power sites. To my mind, this kind of legislation will defeat itself. There will be little development under it, just as there was little development under the law of 1902. When that law was passed I predicted failure for it, and I predict failure under this law. [Applause.]

Mr. LENROOT. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, if under this law there will be little development, it is far better for future generations that the little development takes place rather than the conditions that would follow if you granted large corporations rights to develop water power on the public domain without limit or restriction. It can not be charged by Representatives coming from States where water powers have been exploited by private capital that we are seeking for selfish gain to protect the public against the unrestricted appropriation of the undeveloped water powers on public domain that remains in the far-western country. We who come from States where our powers have been developed know that fabulous fortunes have been gained by the unrestricted development of these powers.

New England has been developed in a way by the water-power development largely from the fact that the paper industry was established along the New England streams. But since then, since 1891, when water powers began to be utilized for hydroelectric generation, it developed that these water powers were beyond all conception of the original value. It is a contest between unfettered capitalization on the one side and State and Government regulation on the other. We in the Middle West who have gone through unfettered capitalization seeking to take hold of undeveloped water power realize that a mistake was made. We do not wish to hamper the development of the West, but we say to the Representatives of California that it is a crime, in my eyes, as I saw the past summer in crossing over from the Yosemite Valley to the Hetch Hetchy Valley, that beautiful forest land on the mountain side appropriated by eastern capitalists for water-power sites and awaiting despoliation until the time when it would be profitable to develop it. We say now that if you want to rob the future for the benefit of the present we will restrain you. We will place reasonable regulations upon it and allow the State to develop these water powers under the regulations of the State commission. If you have no State commission, then it will rest under the supervision of the Secretary of the Interior. This bugaboo of bureaucracy does not scare me, because at all times it rests with the State legislatures to establish a State commission. When they establish the commission then the power of the National Government, the supervisory power of the National Government, ceases.

Mr. McARTHUR. I want to know if the gentleman ever lived in a State that was honeycombed with these bureaucrats?

Mr. STAFFORD. Oh, I have studied the conditions where they have been. I served on the pulp and paper committee back in 1908, where the conditions arising from the appropriation of these water powers were first called to my attention, and if the gentleman had served on that committee and heard the testimony of the few corporations getting control of all the undeveloped water powers, he would, if he were not hampered by local sentiment in his district, be in favor without restriction of this bill. I will ask the gentleman if he favors a corporation taking control, as they do, of the public lands in the Yellowstone National Park, and holding those undeveloped water powers for generations to come, and then compelling those generations to pay just what those corporations see fit to charge?

Mr. McARTHUR. I do not.

Mr. STAFFORD. If he would, he would be in favor of unlicensed individualism. The great fortunes of this country have been made by appropriation of the public domain. We say that that domain now and for the future is for the public and for the public benefit.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. LENROOT. Mr. Chairman, I yield one minute to the gentleman from Wisconsin.

Mr. STAFFORD. Mr. Chairman, I would like to direct the attention of the chairman of the committee to another matter, and that is whether it was the intention of the chairman of the committee to grant unlimited time for extension after the one-year period as provided in the last proviso on page 3? My reading of the first section shows that there is no limitation as to the length of time to which the extension shall be granted, but merely that the power is given to extend if the original time of one year is not sufficient.

Mr. FERRIS. The thought of the committee was this: Numerous engineers came before us and testified to the colossal task it was to make the survey and take the preliminary steps to the expenditure of a million or more dollars for one of these large hydroelectric plants, and to finance it. In some instances where a company that was acting in good faith did not have time enough we gave the Secretary power to extend the time.

Mr. STAFFORD. To an unlimited degree?

Mr. FERRIS. No.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. FERRIS. I yield the gentleman one minute.

Mr. STAFFORD. Under the phraseology of the bill as written there is no limitation on the time for the extension period. I thought it was the sense of the committee to only extend it for a like period of a year?

Mr. FERRIS. It is; but they can only extend it when prevented by unusual weather conditions or some unusual thing of that kind from pursuing it.

Mr. STAFFORD. This would give the Secretary of the Interior power to extend for 10, 15, or 20 years, if the first year was not sufficient because of these conditions. I thought it better to place a limitation on it for a like period.

Mr. FERRIS. There is a limitation in the fact that the Secretary must find that the special conditions warrant the extension.

Mr. STAFFORD. If those conditions do exist, he can extend it.

Mr. FERRIS. This applies to Alaska, and the gentleman will bear in mind that part of the year they can not work up there at all.

Mr. LENROOT. Mr. Chairman, I yield five minutes to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER of New Jersey. Mr. Chairman, I send to the desk an amendment and ask that it be read.

The Clerk read as follows:

Amend section 1 by adding at the end thereof the following: "And the leases hereby authorized, and all subcontracts as to the management of said water power or the terms and conditions of the distribution of electrical energy, light, or heat, shall be at all times subject to any legislation which may be passed by the United States, whether by amendment of this act or otherwise, and shall be expressly so stated to be subject in said leases and contracts."

Mr. PARKER of New Jersey. Mr. Chairman, in the general debate it was said very justly that this was not a bill for the development of water power, but its object was to allow those water powers to be used for wide distribution of electrical energy. It was truly said that this object can only be attained by great associations of capital, and that this ownership of the water power or leasing of the water power and of the lands in its nature a monopoly, and that it is a great and pressing necessity not only in this sort of monopoly, but in all development

of great resources, that laws shall be passed which should regulate the business of these monopolies, so that only a fair profit shall go to the holder and that the business should inure otherwise to the benefit of the public. It was said truly that these objects are not attained by this bill fully, as they can not be by any bill. It needs experience. No doubt it will be agreed that such regulation can not now be finally established, but must be subject to amendment from time to time. It was with this view that I offer this amendment that the leases and contracts themselves should submit the parties and the distribution to the regulation of the law. It was likewise pointed out by the gentleman from Minnesota most justly that the regulation of the distribution of electric current between various States will be necessarily confused with the distribution within the State unless there be one uniform system of regulation, which could only be had under United States law developed from time to time by experience. It is, at any rate, possible that this may prove in the end to be the best solution; and it is, therefore, as I submit to the House, the part of prudence not, perhaps, to make stringent regulations and take away the power of the State, but to reserve the possibility of such control, and this is easily done by making that reservation a part of the terms of the lease itself, as proposed by this amendment.

How this control can be exercised is a different matter. The gentleman from Minnesota is inclined to a commission. I sympathize with the fear of commissions expressed by the gentleman from New York [Mr. BENNET].

Experience has shown the difficulties, the expense, and many of the unfortunate results which attend even their beneficial operations. The object to be obtained is the limitation of private profits so that the benefit of the enterprise shall go to the public. This can be done by simply saying so and making the business mutual and cooperative between the holder and the public, so that the lessee should be limited to a certain annual percentage of profit from his investment and so that profits in excess should be returned to the consumer by way of dividends upon what he pays. This is like a cooperative store. It is like a mutual insurance company with a stock capital and which does a mutual business. It is no more complicated. It is one that long ago ought to be applied to public-service corporations, where public streets furnish the right of way and the whole public are the customers.

The profit to be allowed to the holder should be large. He takes the risk. When you tempt private capital to such an enterprise it might be as much as 15 or 25 per cent a year or more.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. PARKER of New Jersey. Would it be possible for the gentleman from Minnesota to yield me more time?

Mr. LENROOT. I yield three minutes additional to the gentleman from New Jersey.

Mr. PARKER of New Jersey. We do not want to discourage capital, but we want to prevent successive reorganizations with expanded stock which will put money into the pockets, not of the original investor, but into the pockets of mere promoters after the work has been done. The limit may be sometimes low, because sometimes towns will only want such profit as will pay interest on public bonds. Such a scheme will involve many details which can not be fully settled now, but must be left to future legislation. But certain requirements would not be out of place now.

One is to keep careful account of construction and operation. If profits should be diverted to improvements of plant, they should be represented by scrip bearing interest.

Another is to provide that salaries, office building, and other headquarter expenses and commissions should be reasonable, so that the profits should not be used up.

The lessee ought to deal directly with the consumer. It is the consumer, not the intermediary, that is to obtain the profit. This, however, should not prevent partnerships as long as this result is attained, and therefore should allow such contracts approved by the Secretary of the Interior as do not infringe on the right of the consumer to share in the profits.

Consumers should be equally treated by equal rates in each locality, and fair rates as between different localities. With this in view I have prepared amendments to the second section, which will be read at their place at the end of the second section, but which I now desire to offer as a part of my remarks to show the general scheme. They are only tentative, but if we want to meet the demands of the world at the present time we must obtain some system of regulating public servants by law and not by commission.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. May I ask the gentleman if it would not be well to try the same scheme, which may be a very good one, right here in the District of Columbia, where we have had some difficulty in respect to electricity? Would not this be a good place to try it?

Mr. PARKER of New Jersey. My time has expired.

The proposed amendments to section 2 by Mr. PARKER of New Jersey are as follows:

Amendment 1. Add at the end of section 2 the following:

"And each such lease shall provide that detailed accounts shall be kept of construction and operation in such form as may be prescribed by the Secretary of the Interior, and annual statements thereof filed on such day as he may order, so that the totals of every branch of the business may be ascertained at any time."

Amendment 2. Also add the following:

"And each such lease shall provide that all profits on the original cost of the plant in excess of cumulative annual profits at a rate and per cent of such cost to be fixed in said lease shall be annually divided among the consumers of electrical energy according to the amounts paid by each consumer in the year."

Amendment 3. Also add the following:

"The Secretary of the Interior, in his discretion, may offer any lease to public competition among bidders giving satisfactory security to perform the terms thereof as they shall offer the more rent, or agree to accept a less annual rate of profits; that is, the said competition may be as to the amount of rent to be paid to the United States or the maximum annual profits to be retained by the lessee."

Amendment 4. Also add the following:

"And each lease shall provide that profits which may be invested in permanent improvements may be paid over to the person entitled thereto by scrip or certificates of such investment on which local interest shall accrue and be paid annually until they shall be taken up and funded in debt or a preferred stock at lower interest."

Amendment 5. Also add the following:

"And each lease shall provide that expenses for salaries, offices, and other headquarters expenses and commissions shall be reasonable and subject to approval by the Secretary of the Interior, and shall be limited annually to a fixed per cent of the money spent for material and labor in construction and operation."

Amendment 6. Also add the following:

"And each lease shall provide that the lessee shall sell or lease or contract for electrical energy directly with the consumer, except by such contracts as may be first approved by the Secretary of the Interior, and shall not impair the consumer's right to share in the profits."

Amendment 7. Also add the following:

"And each lease shall provide that rates for electricity shall be equal in each locality, according to the quantity used or lost and the cost of connection, and shall be fairly apportioned as to different localities."

Mr. FERRIS. Might I ask the Chair how much time remains to each side?

The CHAIRMAN. Each side has 28 minutes remaining.

Mr. FERRIS. I yield 10 minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, I first desire to ask unanimous consent to extend my remarks in the RECORD, as I have had no time to prepare a careful statement. I object to this proposed bill. I object to the 50-year clause, to the so-called recapture clause. It seems to me the committee is indulging in radical talk and reactionary action. That is the position now of both Republicans and Democrats. They are liberal in strong talk against corporations and about the people and about the masses, but when it comes down to genuine action you see nothing progressive from them. I became suspicious when I saw the Republican and Democratic leaders in agreement on this bill. It was high time for me to examine it carefully. [Laughter.]

I spent last night, from about 10 o'clock until midnight, in my office carefully examining that bill. The committee speaks of the recapture clause. It is not a recapture clause. It is a fool-capture clause. Fools will be captured by it. What you are trying to do now is that, instead of preserving the natural resources of the country for the people, you are making things worse by enabling the commission to give leases for 50 years. I wonder where I will be able to meet you 50 years from now in order to reproach you for your act. I am not quite sure I will meet you in heaven, although I know where I am going to land as a Socialist. [Laughter.] Fifty years is an awfully long period of time. It is more than a generation. The word "generation" means the average life of all the persons in the community, which is one-third of a century. You are permitting the making of leases for more than a generation, for more than the lifetime of a generation. It is not enough that you do mischief to last a lifetime; it is not enough that you burden with the result of your unwise action the present generation; but you want to impose burdens upon those who will come after us. You are quite ambitious in your projects.

I am opposed to the recapture clause and that 50-year leasing clause. How generous the committee is. Just listen to this wonderful language. They say:

We must provide generous terms, in order to get private capital to make investments.

You can not get enough private capital interested to develop water power. Why not get the inexhaustible capital of the

United States of America? You speak so glibly of expending billions of dollars for munitions, for armament, for fighting some invisible enemy, an enemy that exists in your minds only, but you can not get your minds to work out some method for utilizing the resources of the United States for the people.

The committee speaks of criminal negligence committed in the past in overlooking the wonderful resources of the United States and in permitting them to be appropriated by private capital. What does the committee substitute for it? Instead of the criminal negligence of the past generations, you substitute deliberate criminality by permitting leases for 50 years. And if you gentlemen do permit a lease for 50 years, why do you not provide that the commission should have the right to regulate hours of labor, wages for labor, and other conditions of labor, and that conditions of employment should not be inferior to standards demanded by organized labor? Why do you always forget these little things—the demands of labor? You speak of the consumer. What about the great masses of the working people? Why do you disregard them in your scheme for regeneration of society?

Gentlemen, you are not doing the right thing in adopting this bill. When the Republicans and Democrats agree it is a safe thing to vote for a bill, it is time to look out. [Laughter.] I do not want to call you names. First of all, it is a bad thing to do. I wish to be an agreeable fellow. I can say lots of things about the Republicans in the abstract and about the Democrats in collectivity. History will take care of that and will call you all kinds of names. I shall not indulge in the calling of names. All I wish to say is that you are making a very serious blunder. The future historian will say that by enacting this bill you tried to fool the people, to deceive them, and make them believe that you were earnestly making an attempt to conserve and preserve the natural resources of the country, while in reality you were enabling private interests to obtain 50-year leases in order to continue the exploitation of the resources of the Nation.

I object to this bill because it is an unfair bill. It is an improper bill; it is not one to promote the interests of the people; it is destructive of their rights. I suppose there will be no objection to my extending my remarks in the Record, although I dislike that practice. The last time I obtained it, together with everybody else, I did not feel like taking advantage of it. A speech extended in the Record and not delivered on the floor looks to me a very funny thing, but as you are so funny I see no reason why I can not once in a while be as funny as you are.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Does the gentleman request to extend his remarks in the Record?

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that the gentleman have permission to extend his remarks in the Record.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the gentleman from New York have permission to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. LENROOT. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Will the gentleman from Oklahoma [Mr. FERRIS] yield to me two minutes?

Mr. FERRIS. Every moment is promised, if the gentleman will pardon me.

Mr. MOORE of Pennsylvania. The matter I wish to speak on does not pertain to the bill.

Mr. FERRIS. Will the gentleman withhold until a little later and get permission on the next section?

Mr. MOORE of Pennsylvania. Very well. I yield back the time granted me by the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Chairman, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, I propose to interpose a novelty in the discussion by discussing the section of the bill under consideration. The section of the bill which has been read provides for the leasing of public lands for water-power development. If that was all that the bill did and those leases were on proper and reasonable terms and conditions, I should have no very serious objection, although I believe that the matter could be better and more advantageously worked out along the line of rights of way, a line which we have followed in the past. But there is one very peculiar and extraordinary thing about this section. I want to call attention to it, and I want to challenge the attention of the House to it, because it is the very first of the kind in our history, as I stated a year ago, on the same section. Heretofore in legislating in regard to the public lands we have granted certain rights or privileges or opportunities to

citizens. We do nothing of that kind in this bill. In the first section of the bill we turn over to the absolute management and control of the Secretary of the Interior, to be managed and controlled according to his sweet will, all the land of the public domain that may be used, needed, or required for power development. Nothing in the bill gives any citizen any assurance that at any time, now or in the future, he may have an opportunity to lease any part of the public land for these purposes. The Secretary is given the right to either grant or withhold the right to use these lands for purposes contemplated by the bill. There has been a good deal of the Don Quixote style of oratory in this debate. The gentleman from Wisconsin [Mr. LENROOT] and the gentleman from Oklahoma [Mr. FERRIS] mount their limping steeds, and with lances at rest they charge with great eloquence upon the windmill of alleged or feared monopoly. They realize, if they know anything about it, that at this time the West does not suffer from oppressive monopoly in these matters; the West does control, and control so that the West is generally securing better terms from water-power companies than the East. But they fear combinations and monopolies in the future, and fear that we shall be so pusillanimous in the future that we shall not protect ourselves. In my country, when the cowboys want to describe a man who is utterly beneath contempt, they refer to him as "a fellow who would rob his own trunk." If the West would allow itself to be robbed by its power companies it would come in that category.

Now, the fact is that so far as monopoly and combination are concerned there will be more monopoly and more combination under this legislation than there would be without it. If we simply leased or granted rights of way and allowed the States to control, there would unquestionably be less of combination. There would be a larger number of separate ownerships than there would be under this bill.

That fact has been admitted by practically all of the extreme conservationists who favor this class of legislation. They began by scaring the people of the country with the bugaboo of water-power combination, but they ended by embracing the idea and the theory of combination as a condition under which the people will be most satisfactorily and cheaply served. I repeat that it is now admitted, wherever that question has been put, by the men who have given study to the question, that this bill will not prevent or have any tendency to prevent combination or monopoly. As a matter of fact, all water powers are monopolies. It will not discourage monopoly. Monopoly is encouraged in the bill.

But they say that so long as the Federal Government controls under certain conditions it is well to have this monopoly and this combination. If we suggest that under our form of Government the people are sovereign in their control and ought to be effective in their control, instead of discussing that proposition they proceed to attempt to alarm us by again talking about combinations and monopolies, as though combinations and monopolies were not the very thing sought and expected to be accomplished under this legislation.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Kentucky?

Mr. MONDELL. Yes; I yield to the gentleman.

Mr. SHERLEY. Is there any reason why the State of Wyoming will not have control in regulating the price to be charged by the water companies?

Mr. MONDELL. Well, the State of Wyoming has a commission.

Mr. SHERLEY. Then is there any reason why it will not have proper control in regulating the price to be charged?

Mr. MONDELL. Yes.

Mr. SHERLEY. What is it?

Mr. MONDELL. Given a power plant in the State of Wyoming, occupying so much as a quarter of an acre of public land, a square foot of public land, if you will, or even running a transmission line over a strip of public land, immediately thereupon the State public-service commission and the communities which, under our law, may fix rates are deprived of all power and control over the practices of the company or the rates which they may charge, and a clerk down here in the office of the Secretary of the Interior becomes the sole judge of what a great power plant serving my people shall do as to its practices, as to the issue of its stock, and as to the charges it shall make on the current that it produces. That is a fair statement, I believe, of the case.

Mr. SHERLEY. If I understand the gentleman, he means that when the company's activities cease to be intrastate and become interstate the State ceases to have complete control. Is that it?

Mr. MONDELL. I mean that whenever a company puts a transmission line across the State that happens, and happens to all the activities of the plant in both States. The gentleman from Kentucky is a very good lawyer, one of the very best in the House. Therefore I, not being a lawyer, would not presume—

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

Mr. MONDELL. In a moment. I would not presume to differ with him on a purely legal question. But I am not convinced that passing an electric current or an electric line across a State line is interstate commerce, and if it is not, then there is not any constitutional way in which this operation of control may be put into effect.

Now I yield to the gentleman from Illinois.

Mr. MADDEN. As I understand the gentleman from Wyoming to say, a company organized within a State, doing business entirely within the State, with capital furnished by citizens of the State, under control of the commission authorized by the State, would not have any rights within the State after an electric wire carrying current went out of the State?

Mr. MONDELL. If this becomes law, the State commissions and bodies having power to regulate would lose all of their authority and control, and the authority and control over rates and practices would be transferred to Washington.

Mr. MADDEN. Every power within the State as well as without?

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. May I have just one minute more to answer the gentleman's question?

Mr. LENROOT. Not out of my time.

Mr. MONDELL. Very well; the gentleman does not want information given to the House, evidently.

Mr. FERRIS. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Chairman, in the debate that has taken place to-day we have had an illustration of the extremes of this question. The gentleman from New York [Mr. LONDON], perfectly consistent with his view of government, believes that this bill is unjustifiable because of the extreme privileges it grants to capital. The gentlemen from the West, starting from the always assumed and mistaken premise that the public lands in the Western States belong to the Western States, argue that there are too many restrictions placed around the use of the property of the Government.

Mr. MONDELL. Will the gentleman yield right there?

Mr. SHERLEY. Yes.

Mr. MONDELL. On that straw man of his—

Mr. SHERLEY. I have only five minutes.

Mr. MONDELL. The gentleman was not here the other day when half a dozen western Members answered that proposition, and said they did not claim any ownership of the public lands.

Mr. SHERLEY. Of course not; they never claim that when faced with it, but they always claim it as the basis for an argument that has no standing except upon the assumption that the public lands in those States belong to the inhabitants of those States.

Mr. MONDELL. The gentleman uses that statement as a basis for an argument.

Mr. SHERLEY. Now, will the gentleman let me have my time? The gentleman had his, at length, ad libitum, and I might add another phrase, but will not.

The proposition here involved is simply this, that the Government of the United States, owning certain lands, shall put terms upon the use of those lands by a lessee.

But it is said that the relationship of ordinary contracting parties does not exist, because of the one fact that the land owned by the Government is not subject to the right of a State's eminent domain, and if the terms that it imposes upon the lessee are not suitable to that lessee he is without recourse. That is true, but it ought to be true. As has been well pointed out the right of eminent domain is a right of sovereignty, and the very highest, and it ought not to be exercised against a sovereignty; and the time will never come when the Government of the United States will confer upon any lesser political subdivision the right of eminent domain as against the property of the United States, and it never should.

But much is said about the fact that these States are burdened with great sections that are held by the United States and which are not subject to taxation. They forget that the States and the people within the States took them subject—if you please to call it that—to the burden of Government ownership of part of that domain.

But it is not true in law, it is not true in fact, and can not be made true by the repeated assertions of western gentlemen, that these great properties that will be created by the development of water-power sites in the West will be free from State taxation. Gentlemen have only need to read the decision in 14 Peters or the decision in 220 United States to find that the leasehold that is granted is subject to State taxation and is now being taxed in certain instances in the Western States, and it either shows ignorance or unfairness on the part of advocates who constantly talk about taking away from the States any power to levy taxes and to support themselves.

Speaking for myself, I should like to see a shorter lease than 50 years. Men say you can not induce capital. Why, in my section they would not think of issuing a franchise for 50 years. That belongs to the limbo of forgotten things. We do not believe that we are so wise—even if gentlemen out West are satisfied of their own wisdom—as to be able to span the future with any flimsy bridge of thought and make terms for 50 years that will represent equity during the whole of that term. I think it is proper that we should give a sufficient length of lease to induce capital—and men will differ as to what that term is—and it will have to stand the acid test of actual trial; but certainly 50 years is not so short a time as to make anyone doubt the fact that these lands will be leased.

Now, one of two things is true. Either gentlemen do not want regulation of any kind, and so they object to Federal regulation because they are satisfied that they can avoid State regulation, or they believe that the limitation of the 50-year term is too extreme. I submit in all candor that, if anything, it represents an extremely liberal policy.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. Will the gentleman from Oklahoma give me a couple of minutes?

Mr. FERRIS. I yield to the gentleman two minutes.

Mr. SHERLEY. I want to say, in conclusion, another thing. I am sometimes impressed by the tyranny of phrases. Men bow down before the idol of a cant phrase. I came here 13 years ago a very pronounced believer in State rights. I have not lost my conviction touching real State rights, but I am constantly reminded of the fact that we are all the time hearing more of State rights than we are of State duties. [Applause.] It has been because of the absolute neglect of State duties that the people—speaking for no locality, but for the Nation at large—are determined that power shall not again be given to a limited class to exploit what belongs to all. [Applause.]

Why, one gentleman made much of the fact, that the State of Michigan had lost its forests; and said that because the people there had lost their forests they were coming in and insisting upon regulating the public lands within the borders of Western States. What better reason on earth could there be for the position of Michigan in desiring to prevent the West being exploited as Michigan was exploited? Michigan has learned by experience. Yes; the people of the West are just as patriotic and just as intelligent as the people of Kentucky or Michigan or elsewhere; but every man here knows that the trouble is not with the mass of the people, but it is with a limited number of people having the strong desire of personal gain, against the unorganized and not alert attention of the great mass of the people. [Applause.] We give to the States every right that they can ask in reason. We say to them: "If you have a commission, you shall have power to regulate. If you have not a commission, as soon as you get one you shall have the power to regulate; but if you refuse to have one, then we, holding in trust for all the people the public lands of America, will give the right to use those lands for only a limited period, under such restrictions as in the judgment of those representing all the people are fair to all concerned." That is the essence of the bill, and that is the reason the fight is on here so strenuously by these gentlemen. It is not so much because they object to the terms of the bill as because under the plea of bureaucratic government they want to get away from the establishment of the principle of public control of public utilities as against the private exploitation of them. [Applause.]

Mr. FERRIS. Will the gentleman from Wisconsin use some of his time?

Mr. LENROOT. I yield five minutes to the gentleman from Oregon [Mr. McARTHUR].

The CHAIRMAN. The gentleman from Oregon [Mr. McARTHUR] is recognized for five minutes.

[Mr. McARTHUR addressed the committee. See Appendix.]

Mr. LENROOT. Mr. Chairman, I yield five minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Chairman, in the few minutes allotted to me in the discussion of H. R. 403, the Ferris

water-power leasing bill, I desire to express my disapproval and opposition to this and all other leasing bills. I believe that the whole leasing program, when all of the bills shall have been passed, will result in a system in the public-land States which will keep these States from ever becoming full, complete Commonwealths. Each one will be part State and part Province, with no hope of change. So long as the Federal Government shall lease in 50-year periods the resources which lie in what is now the Federal part of the State of Washington—those leases subject to renewal—no future governor of that State may hope to be governor of the whole State. He will be, as now, governor of almost two-thirds. No future citizen may hope to see, even a hundred years hence, all of the resources taxed for the general welfare. That future citizen will see, as now, the income from the Federal resources of that State going to various Federal bureaus and a little sop handed back, the bulk having been used in overhead charges, which charges must constantly increase as the size and activities of the bureaus increase. Where we now have 10 agents, inspectors, surveyors, rangers, and other classes of agents, paid by the United States Government, running over that portion of the territory in the Western States still belonging to the United States Government, we will have 100 such agents.

Carry out the leasing system as this administration proposes to carry it out and the whole people of the United States, who boast that the best-governed people are the least-governed people, may never hope to get rid of the public-domain problem, which is costly, cumbersome, and forbidding, and which should at some future date come to an end.

I confidently believe that the bulk of the people in the district I have the honor to represent are sick and tired of that whole propaganda, which seeks to control federally forever that which every pioneer hoped would become part and parcel of his State. I doubt if the people of the United States, when they talk of their public domain out West—and it is, in truth, their domain—realize the enormous cost of Federal operation; nor do they realize the obstacles and obstructions thrown in the way of all who would enjoy the blessings which the United States pretends to hold out to those who would go upon the land.

If anyone doubts my statements, let him go to the minor offices in the Interior and Agricultural Departments and read the complaints. Let him see how the man who grazes 6 cattle has been hounded, while the company which grazes 16,000 has been favored and benefited—at actual Government loss—and this under one of these beneficent leasing systems.

Let him see how would-be settlers have been harassed. Let him decide for himself why that whole country, which was so prosperous and whose whole people were so hopeful, has languished.

Then perhaps he will understand why those who were fooled once by the high-sounding phrases of conservation are chary now of an everlasting lease system of everything in the public domain, from the water in the bed of the nonnavigable stream, which the State owns, to the rich rocks under the ground, for which few miners will prospect, inasmuch as their only reward is soon to be a lease.

If we are to become full, complete States, as we have hoped since we received our enabling acts, then the whole long-term leasing plan is wrong. If we are to remain, in part provinces, then—tell us so, and go to it. Tell us that we may never have taxes from the great untaxed resources and unused areas within the confines of what we thought were sovereign States.

We, who oppose this continued increase of Federal control, are used to assault. Every invective has been hurled at us. Last summer I attended an important conference in the Northwest where efforts were made by governors and others to discuss this leasing proposition from the standpoint of the West. After substantial addresses had been made by western men who had given great study to the subject we had the further pleasure of hearing ourselves called secessionists by employees of the United States, who in their rage at our hope that we might become in time free from their academic advice and their overbearing supervision, could think of no meaner nor more belittling charge.

The charge that monopoly will control is made. In the State of Washington a public utilities commission handles that phase of the problem and does it well. I believe that water-power companies are forbidden to make more than 6 per cent, and they are not given opportunity to inflate their stock. Is 6 per cent too much in a country where the banks pay 4 per cent for deposited money? In a mountainous country, too, where, as in the case of the Elwha Power Co., a dam went out, causing in a single night a loss of a couple of million of dollars. That company struggled valiantly for a long time against that loss. Now, it is bankrupt. That company hoped that the public domain

in the reserve back of it might be brought into use. It has given up that hope.

This bill proposes to lease not the water, which the Government does not own, but the power-house sites, which the Government does own. The Government has us on the hip. We can not use the water without the sites. Therefore Congress, when it passes this bill, places a pistol at our heads and says, like a bandit, "Give up what you've got."

Then Congress proposes to base the lease price for the sites on the amount of horsepower available in the stream.

Next, this Ferris bill, taking for the Government this lease money, says, "We'll give it back to you—or a part of it—for reclamation purposes." Anyone familiar with the cost of governmental bureaucratic operations may guess about what proportion we will get back.

Very often the highwayman, after taking all of his victim's money and valuables, gives him back a car ticket with which to ride home. If this Government, desiring to help the States, were proposing by congressional act to let the States, through the control of the public-service commissions, make these leases and receive the bulk of the returns, how much better the taxpayers of the State would feel. The return also to the Federal Government would be safer, would be sure, and would not be dissipated among an array of additional Federal officeholders who will come onto the pay roll when this bill becomes a law.

The Western States have limited representation in Congress in proportion to their area and to the importance of these Federal problems, which bid fair, under leasing, never to end. As matters stand, this bill will pass. Our substitutes are not considered. Fortunately, some amendments have been added as a result of continued hammering by the gentleman from Wyoming [Mr. MONDELL] and a few others who really know the West. The bill as about to be passed by this House is much better than the bill which did pass the last House and which failed in the Senate, and yet the advocates of last year's bill resented every effort to change it. So something has come from agitation and continued effort of its opponents, who realize that, representing Western States, they are but a small part of the total representation in this body. What we get is solely by the grace of the Members of the Eastern States, who, unfortunately, pay too little attention to this and other problems so vital to the Western States.

Members should remember that these forest-reserve lands, where are many of the power sites, are controlled by the Agricultural Department. The sites, however, are to be leased by the Interior Department. Thus will result the same thing over and over again that has been going on in regard to homestead and other rights where both the Agricultural Department and the Interior Department send rival agents to fight with each other at the expense of our people. I heard a speaker out West say that he thought that bureaucracy was the mildew on the heart of Democracy, and we know that to be true, for year in and year out since this new benevolent control by long distance of our progressive people has been going on, we have been suffering and suffering to the extreme.

In the city of Tacoma electric power is sold for one-half cent per kilowatt hour, and the municipal plant in that city regulates, I believe, the price of current in that part of the country. In the district I have the honor to represent I presume there is more unharnessed potential water power than in any other area in the United States. Thousands upon thousands of horsepower of that water power will continue to run unharnessed to the sea. This law will not invite capital, in my opinion. Under this law the Utopian dream of development will go on. If we get water-power development you get the proceeds. If we do not get development we get the promise of it about two generations ahead. But we believe that "an acre in Middlesex is worth a principality in Utopia," and we are tired of these theoretical nostrums.

Mr. LENROOT. Mr. Chairman, how does the time stand?

The CHAIRMAN. The gentleman from Wisconsin has 8 minutes and the gentleman from Oklahoma 13 minutes.

Mr. LENROOT. Mr. Chairman, I yield 1 minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Chairman, as I heard my friend from Washington [Mr. McARTHUR] bewailing the use of the water which belongs to the State by institutions under the control of the Federal Government, it occurred to me to wonder whether the gentleman understood that these water-power plants would consume the water flowing in the streams. It is my understanding that the water belonging to the State will continue to flow on its way undiminished and the water coming to the mouth of the stream will be there in the same quantity.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. MONDELL. Is that any reason why the Federal Government should tax these particular water powers because they are not going to consume the water?

Mr. CRAMTON. I am simply answering another suggestion made. I do not understand there is to be a tax on the water in the stream, but the institution which makes use of the land at the side of the stream must pay the Government, which owns the land, for its use. A water-power site, I understand, of one concern in the West under private ownership is valued at \$26,000,000, and the consumers of the power there manufactured, in effect, pay a tax upon that valuation, and it is no hardship to the consumers of the power developed upon these sites if they pay a reasonable rental to the Government.

Mr. LENROOT. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman, when the work of the Constitutional Convention was finished in Philadelphia, Benjamin Franklin declared it was not satisfactory to him, and probably was not to any member, but that it was a good deal better than anything else they had, and, therefore, he would sign it and adopt its meaning. I have noticed that the range of this debate has touched the extreme points. One side does not want it for one thing and another side does not want it because it does not do another thing. To some Members it goes too far; to others it does not go far enough. However, it is a better proposition by a good deal than what we have now. While I would not vote to have the Government go into hydroelectric development directly, neither would I vote to give unlimited opportunity to private capital without any restraint. I am willing to split the difference and permit the Government to lease the right under proper conditions, because I believe in developing the water power. The possibilities in this direction, especially in the West, are great. I think there is nothing in the future in the next 50 years that will see more remarkable development than electricity from the use of water power. When it can be utilized in our public lands, over which the Government has control, we ought to make it possible.

Whatever dangers might lurk in the monopolistic character of the power can be obviated by the provisions in the bill to retain Federal control, and whatever undue advantage might be taken by holders can be thwarted by the provision to reclaim the lease after 50 years. I shall vote for the bill.

Mr. LENROOT. Mr. Chairman, first I want to answer the question asked by the gentleman from Illinois [Mr. MADDEN], and which the gentleman from Wyoming [Mr. MONDELL] did not have an opportunity to answer. I prefer to answer it because I think I can answer it a little more satisfactorily than he could, because of inadvertency on the part of the committee in reporting one amendment to the bill. It is not often that the gentleman from Wyoming makes a criticism against this bill that is well taken, but in that particular instance the gentleman, perhaps, was right in his assertion that, as the language stood, if one transmission line went across a State line, under the terms of the bill all of the power and service in the State came under the jurisdiction of the Secretary of the Interior. I want to say for the relief of the mind of the gentleman that the committee agreed on an amendment, and it will be offered on the floor—and it should have been in the bill—providing that the Secretary of the Interior shall only regulate such power as actually enters into interstate commerce, leaving all of the rest of it within the control of the public-service commission of the States, if they happen to have one.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. For a question.

Mr. MONDELL. The committee having amended in that respect, or proposing to amend, and having amended in another respect, what is left of the bill after you get through?

Mr. LENROOT. Oh, all of it is left. I only want to refer to one other matter, Mr. Chairman.

Very little, if anything, new has been brought out in this debate to-day, but I do want to refer to the statement made by the two gentlemen from Washington, Mr. HUMPHREY and Mr. JOHNSON. They bitterly complain against this policy that is provided in this bill. They say there is no question about the power of those States to take care of their own affairs and fully regulate them; that oppressive monopoly is absolutely impossible because of the care they take of the rights of their own people.

Mr. Chairman, at this water-power conference held at Portland last September, to which I referred the other day, two speeches made at that conference were by men representing great hydroelectric companies in the United States. One of them was by Mr. S. Z. Mitchell, of New York City, whose name

can be found in a very large percentage of the directorships of the water-power corporations in the West. In the course of his speech at this conference he said:

I do know, however, that some of them whose properties are peculiarly open to competition are rather anxious for the law to remain as it is or, in the alternative, have the Ferris bill pass without amendment, because they believe that is the safest way to perpetuate the monopoly which they now have.

If that is the case, have monopolies been fully regulated in those States? This is by a man who bitterly condemns this policy and takes the same position that the gentlemen from Washington do. In September, at that convention, Mr. Clyde Dawson, of Colorado, another gentleman representing also great water-power companies, made some reference to the State of Washington. In his speech before the water-power conference he used this language:

From a practical standpoint the Stone and Webster interests, who were in control of the power development of the Puget Sound country, could well have afforded to pay a quarter of a million dollars a year for being protected in a monopoly they already had by the handicap which the regulations or permits put upon those seeking to develop power on Government land.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERRIS. Mr. Chairman, the debate has gone very far afield and must of necessity be confusing to those who have given little or no attention to water power. On the one hand we find the gentleman from New York, Mr. LONDOX, a Socialist, who believes in Government ownership, is opposed to the granting of the term of 50 years with a proper retaking of the property to the people. On the other hand, we find the two genial gentlemen from the State of Washington, Mr. HUMPHREY and Mr. JOHNSON, apparently want to go back to the procedure prior to the act of February 15, 1901, when water-power sites went to patent at \$1.25 an acre, and at times even less. The inference is only a fair one that the old law apparently was satisfactory to them. Prior to 1901 there was no law on the subject at all. As between those two gentlemen—

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. FERRIS. I would like to proceed for a few minutes.

Mr. JOHNSON of Washington. I do not think the gentleman should make that inference.

Mr. FERRIS. As to the correctness of this bill, I lean on the judgment of the best water-power students and thinkers in the United States. I lean on the Public Lands Committee. We gave long and extended attention to this subject; all agreed that a 50-year term is the proper length of term, provided we have a guarded recapture clause to get the property back at the end of the term, and we think that section 5 does that thing in a proper way. I am prepared to defend it, but I think it will need little defense when the time comes. Ex-Secretary Fisher, a clear-headed, patriotic man, a student of public questions, especially water power, a man charged with the administration of this very thing, during his incumbency in office said that 50 years was the correct term. He said so in the hearings. Secretary Lane, the present Secretary of the Interior, a student of the subject, a man charged with the present administration of it, said that is the correct term. He is able. He is acting for the public interest. He is seeking development. He wants to help the West, not retard it. Dr. George Otis Smith, head of the Geological Survey, a man who has given extended attention to water power, says that this is the correct term. The chief engineer of the Water Power Bureau of the Forest Service says 50 years is the correct term. Gifford Pinchot, president of the National Conservation Commission, who has given extended attention to this question, says that 50 years is the proper term and agrees with this bill.

The committee took 700 pages of testimony last year and invited the bankers to discuss this proposition, invited engineers who deal with this proposition, invited every possible source of information that they could get hold of to come before them, and they concluded unanimously that 50 years is the correct term.

Now, that being true, I think the committee is fairly safe in being trusted along the line of what is the correct term.

I now pass to the real question that is being contested here. Shall the Federal Government let these power sites go to patent, as the gentleman from Wyoming and the two gentlemen from Washington insist, so that there will be no bureaucracy, as they call it, and no Federal control, as they call it, so that the States may run their own business as they want to do? Or, on the other hand, shall the Federal Government reserve to itself the right to do for the benefit of the public interests the thing that ought to be done with its own property, viz, the right to regulate it, the right to control it, the right to protect the public from monopoly?

I belong to the Democratic Party. I live pretty well south; I live pretty well west; I live among people who believe in State

rights and all that sort of thing. But, my friends, they hold between themselves and the fire the so-called State rights theory and try to protect themselves against the Government, who wants to assert its own rights in reference to its own property.

I should feel sorry and I should feel I was going amiss in my duty if I should ask the Congress to pass a law invading the rights of any State; but this bill does no such thing. This bill merely provides for the regulation of what? Land, water-power sites, that belong strictly to the Government. It is but the right to control what belongs to the Government. It should be an undoubted right by the western people. The courts have said what the rights of the General Government are. This goes no further.

I know that in the West, where 72.6 per cent of the water power is located, there is, by a few people, a great hand of protest held up against the Federal Government doing what? Regulating its own property. Now, what do we do? Should we go on and let these power sites, worth millions of dollars, go to patent as a part of a homestead, at \$1.25 an acre? I think not. I do not believe any man from any State in this Union could be reelected to Congress, if the question were stripped of all these details, that voted for a proposition like that. I do not believe the State of Washington would return a Member of Congress of any party to this body who voted to turn the power sites yet remaining in that State over to private ownership and private monopoly.

Now, that is a pretty broad statement. Last summer they held a governors' conference out there, so called, but there were many people there besides the governors. No one elected them as delegates. They came on their own motion. Who came?

The press out there says that it was a kind of a hand-picked affair, men resolving themselves into delegates to attend a convention. What for? To break down Federal control. What for? So that they can get title to these power sites for nothing; so they could escape regulation. We think the Congress will hardly follow such a self-constituted body.

I do not know what the will of the House may be, but I assume it will be this year just as it was last year. Last year when the debate opened on this proposition we heard these same speeches from these same gentlemen. We heard the same so-called State rights proposition carted in, and later we heard them carted out. We heard the same gentlemen malign and abuse the Government, saying that it was bureaucracy—Federal control. We heard the same invectives against the man who first made the withdrawal. We heard all of those things. And then, after the cobwebs were swept away and we got down to the proposition, the House did what it generally does, the sensible thing, namely, passed this bill by unanimous consent. There was not enough opposition to it after the noise subsided to even have a roll call, and there will not be this year.

Section 1 lays down what is an agreed proposition—the proper length of term. I now ask consideration of the amendment of the gentleman from New Jersey [Mr. PARKER], which looks well on its face, and offered, I know, with good intent, but which, if adopted, would put us right back where we are now. It would absolutely keep down any development. I hope the House will not agree to the amendment, because I think it does what he himself does not want to do, and I think if I had had the time to go over it with him a minute and present the hearings to him he would ask that it be not adopted. I had not seen the amendment before it was read, but I think the good judgment of the House and the committee would not have it adopted.

Hydroelectric power is only about 25 years old. The first plant was built out in Colorado in 1890. It has grown very fast. A few companies in the United States own practically all the water power as it now stands. Eighteen companies own practically all of it in the United States. The committee ought to be very careful. They ought to be careful, first, that they do not make these Government leases too onerous, otherwise there will be no development and Congress will be an aid to monopoly rather than a spoiler of monopoly. It is a subject that has to be studied and gone over carefully, and I hope the House will do as they did last year, trust the committee that has gone about it patriotically and earnestly. I hope they will trust the best authorities in the United States and follow the best conclusions about it, rather than follow the wild invective of Members here who talk more than they think. These several Members should have brought their matters to the committee and there let them be worked out. The matters here urged have all been considered and after consideration rejected.

The CHAIRMAN. The first question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

Mr. PARKER of New Jersey. Mr. Chairman, I ask unanimous consent to have my amendment read.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to have his amendment read. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read the amendment.

The Clerk read as follows:

Amend section 1 by adding at the end thereof the following: "And the leases hereby authorized and all subcontracts as to the management of said water power or the terms and conditions of the distribution of electrical energy, light, or heat shall be at all times subject to any legislation which may be passed by the United States, whether by amendment of this act or otherwise, and shall be expressly so stated to be subject in said leases and contracts."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. PARKER].

The question was taken, and the amendment was rejected.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk informs the Chair that there is another amendment.

Mr. PARKER of New Jersey. The amendment is to the next section.

The CHAIRMAN. The gentleman from Wisconsin will send up his amendment.

Mr. STAFFORD. The Clerk has it at the desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 5, after the words "Secretary of the Interior" insert a comma and the words "for a like period."

Mr. STAFFORD. I believe the chairman has no objection to this amendment.

Mr. FERRIS. I have no objection to it. The committee made the extension.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 2. That each lease made in pursuance of this act shall provide for the diligent, orderly, and reasonable development and continuous operation of the water power, subject to market conditions, and shall provide that the lessee shall at no time contract for the delivery to any one consumer of electrical energy in excess of 50 per cent of the total output.

Also the following committee amendment was read:

Insert, after the word "output," in line 15, section 2, the following: "Except upon the written consent of the Secretary of the Interior."

The CHAIRMAN. Is there objection to the committee amendment?

Mr. HUMPHREY of Washington rose.

The CHAIRMAN. Does the gentleman from Washington object?

Mr. HUMPHREY of Washington. I thought you were reading a new paragraph.

The CHAIRMAN. The Clerk was reading the latter part of section 2. The committee amendment is on lines 15 and 16. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

Mr. HUMPHREY of Washington. Mr. Chairman, a few moments ago the distinguished gentleman from Wisconsin—

The CHAIRMAN. What is the gentleman's amendment?

Mr. HUMPHREY of Washington. To strike out the last word. The gentleman from Wisconsin, a few moments ago, read from a portion of a speech by Mr. Dawson, to show that in the State of Washington we were suffering from monopoly. It so happened that I was present and heard Mr. Dawson make that speech, and I knew the monopoly to which he referred.

I will read another sentence or two from that speech:

I know what is the matter with the State of Washington. It is not the fact that we want or need more law. It is the fact that the administrative bureaus of Washington will not permit action under the present law.

Then he stated what the gentleman from Wisconsin read. It was this:

It was said that Mr. Pinchot was doing this to protect the people against monopoly.

That is what they always say. They are always talking about "protecting the people against monopoly." Then he continues:

But from a practical standpoint the Stone & Webster interests, who were in control of the power development in the Puget Sound country, could well have afforded to pay a quarter of a million dollars a year for being protected in the monopoly they already had by the handicap which the regulations or permits put upon those seeking to develop power on Government lands.

That is, they are protected by these Government regulations or permits. I know what Mr. Dawson was talking about at

that particular time. There is a company that was trying to develop a power on the Skagit River to compete with Stone & Webster. Some of the land necessary to the development of that power has been held by the Government for years. The Government has held it up, and they can not develop that power and compete with Stone & Webster.

Stone & Webster could well afford to pay a quarter of a million dollars a year to have this bill that you are now considering written on the statute books. The Stone & Webster people already have their plants. The General Government can not tax them. They are beyond the Government's control. These other people that want to compete with them can not get a permit, and if they do they have to pay an additional tax to the Government, and that gives an advantage to the Stone & Webster people.

If this legislation does anything in the way of monopoly, it perpetuates that monopoly, and it is just exactly as it was said here about Mr. Pinchot; you are doing it all in the name of the people, but constantly you are doing it in favor of the very ones whom you denounce. You hear Stone & Webster denounced on this floor, and yet this legislation is in their interest.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Washington yield to the gentleman from Wisconsin?

Mr. HUMPHREY of Washington. Yes.

Mr. LENROOT. Does the gentleman agree with the statement of Mr. Dawson that the Stone & Webster Co. now have a monopoly in the State of Washington and could well afford to pay a quarter of a million dollars a year for being protected in their monopoly?

Mr. HUMPHREY of Washington. I say they could well afford to pay \$250,000 a year for the Government to take the attitude which it has taken.

Mr. LENROOT. But if they have the regulation that the gentleman contends for, how could they afford to pay \$250,000 a year to perpetuate their monopoly?

Mr. HUMPHREY of Washington. Well, I have tried to explain it two or three times. Now, to give you a specific instance, the Government will not permit competitive properties to be developed. You want to throw one more obstacle in the way.

The CHAIRMAN. The gentleman from Washington withdraws his pro forma amendment.

Mr. RAKER. Mr. Chairman, the committee having this bill in charge heard all those who desired to be heard last year, when the same bill was before the committee. That bill was reported, and as all Members know, it passed the House and went to the Senate, where an amendment was placed upon it, and the matter stood there without final action.

Some nine months have passed. The House committee again took up this bill for hearing and investigation and to make such amendments thereto as they might determine upon as wise, with a view to reporting it to the House, hearing those who desired to be heard; and it seems to me that it is a wise piece of legislation, viewed from all angles. The committee have placed a few amendments upon the bill that round it out better than it was before, having placed one in particular upon it which emphasizes the fact that this is nothing more nor less than a contract by the proprietor of the land, directing and placing upon these contracts of lease such proper condition as may be desired to place upon them for the use of the lands. That is directly and specifically provided for in the bill.

It seems to me that it is a late day now for gentlemen from any State who had the opportunity to appear before the committee, who had the opportunity to present the facts before the House, to charge the entire membership of the House of Representatives with being in favor of and interested with and working for the Stone & Webster hydroelectric interests.

Now, I know that the committee would have been delighted, if the gentlemen from Washington had had any such information, to have had them present it to the committee. The mere statement now that some one institution that has been attempting to control and has, during the last eight or nine years, by virtue of the revocable permit, controlled, and that the department has held up these many applications that have been legitimately pending, wherein large capital desired to enter the field for the purpose of developing hydroelectric power, would not justify gentlemen in now saying that this legislation is in behalf of such organizations or corporations.

It seems to me that gentlemen must know that this bill, properly carried out, with proper regulations formulated under this law, will make it certain that those who apply to the Secretary and comply with these rules and regulations, with a nominal and reasonable royalty and with the opportunity to be in absolute control of their property for 50 years, are going to expend

large sums of money in developing the water powers of the West that are so much needed. If there is any possible objection, it is by those who have developed their plants now.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MOORE] be permitted to address the committee for five minutes on another subject.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania [Mr. MOORE] be permitted to address the House for five minutes. Is there objection?

Mr. FERRIS. Reserving the right to object, Mr. Chairman—which I do not intend to do—will the gentlemen over there have any objection to closing debate on this paragraph at the end of that speech?

Mr. PARKER of New Jersey. I desire, Mr. Chairman, to offer quite a lot of amendments relative to the profits that I spoke of and the keeping of accounts.

Mr. FERRIS. They come on this section, do they?

Mr. PARKER of New Jersey. Yes; they come on this section.

Mr. FERRIS. How much time does the gentleman want?

Mr. PARKER of New Jersey. I want sufficient time to present them all. Say, five minutes in all. I shall not probably take more than a minute to say what I have to say. I can almost state them in brief as they are read. I would like to make a short statement on each, not using probably more than one minute on each.

Mr. FERRIS. I ask unanimous consent that at the expiration—

Mr. TOWNER. I would like to have five minutes.

Mr. PARKER of New Jersey. Why can we not get through with my amendment first?

Mr. FERRIS. I think we can agree upon this, which will facilitate time. I ask unanimous consent that at the expiration of 20 minutes—

Mr. MANN. The gentleman from Wyoming [Mr. MONDELL] wanted five minutes. Did you include that?

Mr. PARKER of New Jersey. And I want at least 10 minutes. I have eight amendments, and certainly one minute apiece is not too much time.

Mr. FERRIS. Then I ask unanimous consent that at the expiration of 35 minutes all debate close on this paragraph and all amendments thereto.

Mr. LANGLEY. I thought it had closed.

Mr. PARKER of New Jersey. How much time do I get on my amendments?

Mr. FERRIS. I thought the gentleman asked for 10 minutes.

Mr. PARKER of New Jersey. I will not waste the time. I think I shall probably not take over a minute on each amendment, but I want to distribute the time among the various amendments.

The CHAIRMAN. The Chair will first put the request of the gentleman from Illinois [Mr. MANN]. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania have five minutes. Is there objection?

Mr. FERRIS. In lieu of that, I ask unanimous consent that at the expiration of 35 minutes, 5 of which shall go to the gentleman from Pennsylvania [Mr. MOORE], debate on this paragraph and amendments thereto shall close.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that 35 minutes be devoted to this paragraph.

Mr. FERRIS. And all amendments thereto.

The CHAIRMAN. And all amendments thereto; and that at the expiration of that time a vote be taken on the amendments, and that five minutes of that time be given to the gentleman from Pennsylvania [Mr. MOORE]. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, as the result of our legislative experience in this House we learn that it is not always the wisest thing in debate to say the sharpest things. Some things of a personal nature carry a sting and reflect at times upon the speaker who gives them utterance. I have no thought that either of the two gentlemen to whom I may refer had any desire to wound the feelings of the other, and yet in the address made a short time ago by the gentleman from Wisconsin [Mr. STAFFORD] certain things were said, in the heat of debate, of course, and due to the zeal of the gentleman from Wisconsin in the interest of his constituency, which might be interpreted as unjustly reflecting upon the military record as well as the courage of the gentleman from Massachusetts [Mr. GARDNER]. Now, it happens that I do not fully agree with all of the arguments of the gentleman from Massachusetts [Mr. GARDNER]. I do not quite believe that the people of this country want war. I am not prepared to go quite so far as he does

as to our attitude toward certain belligerents. I do not go fully into agreement with the gentleman from Wisconsin [Mr. STAFFORD] in all that he said, and yet I can thoroughly understand why he should defend that splendid constituency of his out yonder in Wisconsin.

But, as a matter of congressional history, I recall that at one time during a heated discussion in the House Gen. Bingham, of my own State of Pennsylvania, a member of the Appropriations Committee, was referred to by some one upon the other side, hastily and hotly, as "a tin soldier." Subsequently, in justice to the general, who was one of the most modest of men, another Member of the House, who knew of his splendid service, produced the military record, which at once proved that not only was the general not a "tin soldier," but one of the most gallant and courageous of the soldiers of the Republic, one who had been more than once wounded and who had the proud distinction of serving at Gettysburg upon the staff of the superb Hancock. An apology was in order and was promptly given.

I recall, too, a story in connection with service in the Spanish-American War, which ought to be known to all the Members of the House. Over upon the other side sits our friend, the gentleman from Mississippi, Mr. HUMPHREYS. On this side, a few years ago, sat the gentleman from Massachusetts, Mr. AMES. Mr. HUMPHREYS as a child stood in the executive mansion of the State of Mississippi, of which his father was governor. He had the misfortune to see his father driven away from the capital of Mississippi by the father of Mr. AMES, then Gen. AMES, in charge of the United States forces at that place. Subsequently, Mr. HUMPHREYS of Mississippi enlisted in the Spanish-American War. After that service he was mustered out with honor with the rank of lieutenant. He came into this House to find here, on the Republican side, Butler Ames, the son of the man who had driven his father from the Mississippi capital. Without knowing it, they had served together under the same flag in the Spanish-American War. Both had served faithfully and been discharged with honorable records. Such men help to reunite, as the Spanish-American War helped to reunite, the people of our country. Therefore, instead of minimizing the service of those who engaged in the Spanish-American War, perhaps, we should give them our full meed of praise. We have many of them about us here: Col. CRAIG, of Pennsylvania, who served in the Philippines; and our friend Lieut. GREENE, of Vermont, who did not get farther than Chickamauga—and I am told that Chickamauga, for a time, was worse than the front; also, the gentleman from Missouri [Mr. DYER], who now stands at the head of the Spanish-American War Veterans in this country. Perhaps it is well that we should speak not too severely of those who served in that war.

However, in justice to the gentleman from Massachusetts [Mr. GARDNER], with whom I do not wholly agree in his arguments, and in fairness to the gentleman from Wisconsin [Mr. STAFFORD], to whose zeal and earnestness I have already referred, I take occasion to say that the gentleman from Massachusetts [Mr. GARDNER] was not an idler when we needed men in the service of the United States in 1898. He went forward promptly to the front. He made a record of which any man in the service of the United States might well be proud. I learned of this service accidentally through Gen. Hulings, late a Member of this House. Gen. Hulings was commander of the gallant Sixteenth Pennsylvania. Over yonder in the island of Porto Rico when a battle was on, he told me, he needed a guide—someone to get a message to the commander of a battalion that was to head off the Spaniards. It was absolutely necessary for him to reach this officer. He told GARDNER he needed a volunteer. There was no horse except one white horse in sight anywhere. A white horse in that country was like a target, but GARDNER, of Massachusetts, volunteered. He mounted the white horse and in the face of the enemy dashed along the mountainous road and conveyed the message of the colonel of the regiment to the major and came back safely; the day was won for the American forces. [Applause.]

The fact is recorded here in the CONGRESSIONAL RECORD of March 20, 1902, among the nominations forwarded by the President of the United States to the Senate.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I ask for one minute more in order to complete this record.

The CHAIRMAN. The gentleman from Pennsylvania asks that his time be extended one minute. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. In this official record forwarded by the President of the United States appears this very

brief statement, and with it I will close, because it seems to me that it makes the record complete. Nominated by the President:

TO BE MAJOR, BY BREVET.

Capt. AUGUSTUS P. GARDNER, assistant adjutant general, United States Volunteers, for gallantry in action at Coamo, P. R., August 9, 1898, to rank from that date.

That is the record, gentlemen, the particulars of which I had direct from Gen. Hulings. The gentleman offered his services to his country when the call to duty came, and I am quite sure that no one would intentionally question his patriotism or his courage. [Applause.]

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to speak for five minutes on a subject other than that before the committee.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to speak for five minutes. Is there objection?

Mr. MANN. That would be extending the time five minutes.

Mr. TOWNER. Mr. Chairman, I yield my time to the gentleman from Wisconsin.

Mr. STAFFORD. Mr. Chairman, I think I am the most surprised Member of the House at the remarks made by my friend from Pennsylvania [Mr. MOORE]. I did not know until he spoke that my remarks were susceptible of any direct personal reflection upon the military record of my college friend the honorable gentleman from Massachusetts [Mr. GARDNER]. I assume that the gentleman from Pennsylvania is speaking at his instance. If the gentleman from Massachusetts takes offense at anything I have said in the debate as reflecting upon his military record, I wish now to disclaim any such intention. I have read again the official report of my remarks, and I see nothing in that report which casts any odium or reflection directly upon the military record of my heretofore friend, and I hope my continued friend, the gentleman from Massachusetts. In making those remarks I had nothing in my mind which would reflect upon his military career, but, speaking generally, I referred to some instances with which I was acquainted. I knew nothing about the record of the gentleman from Massachusetts, and my only purpose was in resenting the charge he made deliberately against a large body of German-Americans, charging them with being enemies of the Republic or being conspirators in an attempt to blow up munition plants. That was my only purpose, and I again say that if in my impromptu remarks I made any reflection upon the gentleman from Massachusetts, as to his military record, I regret it. [Applause.]

Mr. PARKER of New Jersey. Mr. Speaker, I offer the amendment which I have sent to the Clerk's desk.

The Clerk read as follows:

Add at the end of section 2 the following:

"And each such lease shall provide that detailed accounts shall be kept of construction and operation in such form as may be prescribed by the Secretary of the Interior, and annual statements thereof filed on such day as he may order, so that the totals of every branch of the business may be ascertained at any time."

Mr. PARKER of New Jersey. Mr. Chairman, as to that, I have only to say that I hope this will be accepted by the committee. They have already provided that the books shall be open, and this only provides how they shall be kept so that they can be understood.

Mr. FERRIS. Mr. Chairman, section 11 of the bill I think fully accomplishes what the gentleman from New Jersey seeks to do, and in addition to that we have section 13, which gives the Secretary full power to work the whole thing out.

Mr. PARKER of New Jersey. If that is the case, Mr. Chairman, I wish to withdraw my amendment.

The CHAIRMAN. The gentleman from New Jersey withdraws his amendment.

Mr. PARKER of New Jersey. Now, Mr. Chairman, I offer amendment No. 2.

The Clerk read as follows:

Also, add the following:

"And each such lease shall provide that all profits on the original cost of the plant in excess of cumulative annual profits at a rate and per cent of such cost to be fixed in said lease shall be annually divided among the consumers of electrical energy, according to the amounts paid by each consumer in the year."

Mr. PARKER of New Jersey. Mr. Chairman, this is the central point of the suggestion that I make. With a monopoly we always run the risk, although it is created for the public benefit, of giving all of the profits to the person who holds it. I believe that his profits should be liberal, even up to 25 per cent a year, or perhaps to three times what he has put in—I do not care what, if it be certain. But I do not want to see this bill made the foundation for reorganizations which increase capital to 20 times the original investment, as we have all seen at times. I believe that this is a principle that will finally have to be applied to all such public undertakings, and I therefore

urge upon the House that they open the door to this system by making the simple statement, that profits shall be limited to a certain amount each year—25 per cent, if you please, we need not care what it is, but have some limit, so that the surplus shall be distributed and turned back to those who pay the rates.

Mr. FERRIS. Mr. Chairman, the amendment of the gentleman from New Jersey I know is offered in the very best of faith. I believe, in the first place, it will be unworkable, and in the second place, I believe it would prevent any development out there, which is very much desired. In the third place, I believe it would call for a covering up of profits to the extent that never could be realized on. I hope that the amendment will not be adopted.

Mr. PARKER of New Jersey. Mr. Chairman, in reply, I say it will not stop the enterprise if the limit be put high enough. You can make it even 25 per cent a year, if you please. As to covering up all profits, the amendments I propose to offer, if this be adopted, provide that the lessee shall not spend too much in salaries and shall deal only with the consumer. These clauses would provide against what the gentleman has in mind. If this amendment be rejected, the other amendments to which I refer will have to go, except the last one which I have offered, because the others depend upon this. But it is the key of the situation. It will enable us to govern by law and not by commissions.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New Jersey.

The amendment was rejected.

Mr. PARKER of New Jersey. Mr. Chairman, I offer the last of these amendments, which I ask the Clerk to read.

The Clerk read as follows:

Add, at the end of section 2, the following:

"And such lease shall provide that rates for electricity shall be equal in each locality, according to the quantity used or lost and the cost of connection, and shall be fairly apportioned as to different localities."

Mr. PARKER of New Jersey. Mr. Chairman, I have but a word to say. Section 2 already provides that not over 50 per cent of the electrical power shall be leased to one person. Another section of the bill provides that rates shall not be raised. Why not provide also that rates shall be equal to all? These lessees are to supply the public. If they reduce rates to one, they ought to reduce to another. They should not make some people special favorites. The idea of public service is equality of rates throughout.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New Jersey.

The question was taken; and on a division (demanded by Mr. PARKER of New Jersey) there were—ayes 18, noes 55.

So the amendment was rejected.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. The debate has made it very clear that there is a wide difference of opinion in regard to the provisions of this bill, but I had hoped that in the expression of that wide division of opinion no gentleman would feel called upon to impugn the motives or question the motives of those who differed from him. I feel so honest in regard to this matter that if I were possessed of an inclination to think harshly of my colleagues I might be inclined to think that they, with deliberate intent, proposed to create conditions that they know would be onerous and harmful, that instead of preventing monopoly would create it, because I believe the provisions of the bill would have that effect. Therefore, if I were disposed to think evil of the motives that prompt men, I might, within parliamentary limits, express the opinion that gentlemen were not prompted by the best of motives. But I have never been inclined to feel that was true of any Member of the House. I believe that, wide as our differences are, they are generally almost without exception honest differences. These remarks are suggested by something said by the gentleman from Kentucky [Mr. SHERLEY], generally very temperate and fair in what he says. His words, as I recall them, were these. Referring to those of us on this side who do not approve the substitution of Federal for local control, he said: "Gentlemen oppose this under the pretense of opposition to Federal control, because, as a matter of fact, they are opposed to any public control of public-utility corporations," and so forth.

I do not feel personally offended by that statement, because I am conscious of the rectitude of my motive. But it was applied to all of the gentlemen who take the position that many of us do in regard to this bill, expressed as the opinion of the gentleman from Kentucky of our attitude. There is not a gentleman on this side who does not believe in public control of public-utility corporations. The State which I have the honor to represent has a commission to control these affairs, and I had something to do with encouraging and promoting the legis-

lation that brought it into being. All of the Western States have commissions of that kind save one. The Western States are fortunate in this that in the matter of control of water-power development the State ownership or the people's ownership of the water gives them unquestioned control over their use of it. So that while there might be a denial of the right of the public to control in all respects in a region of riparian rights there can not be a question, never has been a question, of the right of the public to control the use of the water in the land where water is used by appropriation—by an appropriation of an individual or a corporation—from the State, under control of the State in every possible way. I am personally fortunate in the discussion of this bill, because it so happens that there is little water-power development in my State up to date. Our coal and oil are so cheap that there has been no considerable demand or reason for such development. So far as I recall, no citizen of my State has ever discussed the matter of this power bill with me, nor have I discussed it with my people except in a most general way in speeches in the State. So far as I know, there is not a citizen in the State who has taken an active interest in the bill, nor has anyone outside the State who has interests in the State discussed the matter with me.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

Sec. 3. That in case of the development, generation, transmission, and use of power or energy under such a lease in a Territory, or in two or more States, the regulation and control of service and of charges for service to consumers and of the issuance of stock and bonds by the lessee is hereby conferred upon the Secretary of the Interior or committed to such body as may be provided by Federal Statute: *Provided*, That the physical combination of plants or lines for the generation, distribution, and use of power or energy under this act or under leases given hereunder may be permitted, in the discretion of the Secretary of the Interior, but combinations, agreements, arrangements, or understandings, express or implied, to limit the output of electrical energy, to restrain trade with foreign nations or between two or more States or within any one State, or to fix, maintain, or increase prices for electrical energy or service, are hereby forbidden.

Mr. LENROOT. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

On page 3, line 20, strike out the words "service and all charges for service to consumers" and insert the words "so much of the service and of charges for service to consumers as constitutes commerce between the States or in such territory."

Mr. LENROOT. Mr. Chairman, this is the amendment I referred to in reply to the question of the gentleman from Illinois [Mr. MADDEN]. This amendment was agreed to in the committee when the bill was considered, but through inadvertence was not reported with the bill. The purpose is merely to make clear in the section that the jurisdiction of the Secretary of the Interior to control service and rates where a portion of the plant enters into interstate commerce shall be limited only to that portion of the service and charges which do constitute interstate commerce.

Mr. MONDELL. Will the gentleman yield?

Mr. LENROOT. I do.

Mr. MONDELL. The amendment does not in any way modify the power of the Secretary of the Interior over the issuance of stocks and bonds.

Mr. LENROOT. It does not. In reply to that I will say it does not attempt to change the provisions of the bill in any respect in reference to the control over the issuance of stocks and bonds, because in that respect there can not be a dual authority; one or the other must control—exactly the situation we had in the legislation that passed a previous Congress with reference to the control of stocks and bonds of railroad corporations.

A portion of the operation of almost every railroad is interstate commerce, and another portion is intrastate commerce; and, as I stated in general debate the other day, while opinions differ as to the power of Congress to control the entire issuance of stocks and bonds, which was fully argued upon the floor of this House, this House has at least on two occasions, I think, asserted the power by passing a bill which provides for that very thing; and that is all that this bill seeks to do, so far as stocks and bonds are concerned.

So far as rates and service are concerned this amendment will leave to every utility commission, where the State has a utility commission, full power and control over rates and service on that portion of the service that is confined within the State, or, in other words, in intrastate commerce, but will leave to the Secretary of the Interior control over that portion of the service and charges which actually enters into interstate commerce.

Mr. SMITH of Minnesota. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. SMITH of Minnesota. Will the gentleman please define what he understands the term "interstate commerce" to mean in reference to this subject under discussion?

Mr. LENROOT. Well, a transmission line crossing a State line, the power developed in one State and used in another would be interstate commerce, in my judgment.

Mr. SMITH of Minnesota. Under the gentleman's amendment I take it that after the line passes into a State from another State that the public utility commission of the State into which it passes would have control over the fixing of rates and services?

Mr. LENROOT. Not of that portion of current that passes from one State into another State.

Mr. SMITH of Minnesota. I still seem not to make myself clear.

Mr. LENROOT. If the current is generated and used solely within one State, the State commission will have full authority to control. If the current is generated in one State and crosses the State line and is used in another State, it then becomes interstate commerce exactly in the same way transportation upon a railroad becomes interstate commerce, and in that case would be controlled by the Secretary of the Interior.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Minnesota. I would ask that the gentleman's time be extended for a minute.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the time of the gentleman from Wisconsin be extended five minutes. Is there objection?

Mr. FERRIS. Mr. Chairman, reserving the right to object, how much time is desired over there?

Mr. MONDELL. I would like to have five minutes.

Mr. FERRIS. Mr. Chairman, I would ask unanimous consent, at the expiration of 15 minutes, that the debate close on section 3.

Mr. MONDELL. I have another amendment to offer, I will say to the gentleman, and I would like to discuss that a little.

Mr. FERRIS. Will the gentleman want five minutes on that?

Mr. MONDELL. Yes.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that, at the expiration of 15 minutes, 10 minutes to be controlled by the gentleman from Wyoming and 5 by myself, the debate on this section close.

Mr. TOWNER. Mr. Chairman, I would like to have five minutes.

Mr. FERRIS. Then I ask that debate on this section and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request? [After a pause.] None is heard.

Mr. SMITH of Minnesota. Is it the gentleman's understanding that the term "interstate commerce" as used in reference to electric current would have the same significance as commerce would have when used on our railroads?

Mr. LENROOT. I would think so.

Mr. MONDELL. Mr. Chairman, last year when a similar bill was before the House I discussed this section at some length and called attention to a condition of affairs created by it which I do not think could be successfully defended. I made a somewhat extended criticism of some provisions in the discussion under general debate, but not until to-day have I heard any suggestion of a change or a modification of the provisions of the section touching those matters which I criticized. Now we have a proposed change in the form of an amendment which will profoundly affect the bill, and which, it seems to me, goes directly to the definition of interstate commerce as defined in connection with this bill. The bill, as it stood, attempted through a plan of contract, or as it stands now, for that matter, to give the Federal Government a certain power, control, authority, and opportunity to tax which it could not secure otherwise, and then when it came to the matter of regulation the interstate-commerce clause of the Constitution was invoked, and it was claimed that as the current crossed a State line the operation became interstate commerce. In answer to the question asked by the gentleman from Minnesota a moment ago, the gentleman from Wisconsin said that the operations under this bill were interstate commerce in the same sense that railway operations were, in which event when a current was passed across a State line the entire operation would become interstate commerce. That is the effect on a railroad, and if the application of the interstate-commerce theory were the same, then this entire operation would become interstate commerce, and that is the theory on which the committee has been proceeding up to this moment. And the gentleman from Kentucky [Mr. SHERLEY] has taken me to task, as well as a number of other gentlemen, because I presumed to suggest that if a company passed a wire across a State line, possibly for the purpose of escaping local regulation, we

should not pass a law which enabled them by so doing to escape local regulation.

Now, we have an amendment which largely remedies that, and provides that though a current may cross a State line the State law continues to control, except that the State into which the current passes shall lose the control it would otherwise have over that current, and the Secretary of the Interior has the authority under the amendment to fix the rate on the current so passed across the State line. That is the condition of affairs corrected in the gentleman's amendment.

Mr. LENROOT. No. Will the gentleman yield?

Mr. MONDELL. I will yield, yes; because I am anxious to understand it.

Mr. LENROOT. It puts it exactly in the same situation as a railroad. If a railroad becomes interstate, all its operations do not all come under Federal control. The gentleman knows that is true. The business of the railroad in a State is under State control and the portion that is in interstate commerce is under Federal control, exactly the same condition that there is here.

Mr. MONDELL. And yet under the theory that is held until this moment, you have been proposing under the interstate-commerce clause, as you say—

Mr. LENROOT. Not at all. The gentleman must not gather that because the words "commerce between the States" are used we are invoking the interstate-commerce clause of the Constitution—

Mr. MONDELL. What is the gentleman invoking?

Mr. LENROOT (continuing). As one of the conditions.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask unanimous consent that I have five minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that he have five minutes more. Is there objection?

Mr. FERRIS. Reserving the right to object, the gentleman has 10 minutes. If he uses 10 minutes now, it will not leave him time to debate his second amendment.

Mr. MONDELL. If that is the best arrangement that the gentleman can make.

Mr. FERRIS. Use your five minutes.

Mr. MONDELL. Very well.

Mr. FERRIS. Not to extend the total now, but he wants to use his 10 minutes now.

Mr. MONDELL. The proposed amendment very profoundly affects the bill. It meets or partly meets one of the most serious objections to the bill.

I have frequently called attention to a condition which might arise under the bill without this amendment, under which a great power plant, chancing to occupy a little of the public domain, by passing a pole line over the State border would pass from State control. This section of the bill provided, until the moment this amendment was offered and as it was once passed by the House and defended by this committee, that the moment any current crossed the State line, if it did not go more than a rod over the State line and if it only was sufficient to start one glim, it would take from the State public utility commission or from the county authorities or municipal authorities the power to fix rates and practices, and so forth. It would take from them the control over the entire plant and all of its enormous operations.

Now, this amendment changes all of that, so that only the part of the current crossing the State line comes under the control of the Secretary of the Interior. So far as the State in which the power is generated is concerned, it very largely remedies one of the most serious defects and one of the pronounced evils of the bill. But how about the other State? If the State in which the power is generated is, in the opinion of the sponsors of the measure, competent to fix rates and practices, why not the State into which a part of the current passes? Why should the Secretary of the Interior have control of that which might be a very small proportion of the entire development of the plant when the balance is retained in the control of the people of the State?

Mr. MADDEN. Will the gentleman yield to me?

Mr. MONDELL. Yes; I yield to the gentleman.

Mr. MADDEN. Might not the State in which the current was first generated object to the control of the prices by the State into which the current passed, and does not the amendment offered by the gentleman from Wisconsin [Mr. LENROOT] define a remedy for any conflict of opinion between the two States, by leaving it with the Secretary of the Interior to regulate?

Mr. MONDELL. I do not know as there is any more likelihood of a conflict between two States than between one State and the Secretary of the Interior. The Secretary of the In-

terior may be a gentleman who may be more readily gotten along with than the authorities of a State of the Union or he may not.

But that does not necessarily follow. The amendment, however, does profoundly affect the bill. It affects it so profoundly that it takes a large part of the Federal control from the bill and leaves no Federal control over rates whatever in the bill except in the State of Utah, until they provide a public-utilities commission; and except as to current that may be transmitted across a State line from a plant on the other side.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. TOWNER. Mr. Chairman, the law, I think, is well settled in this country with regard to the line of demarcation between the control of interstate and intrastate as commerce, between the General Government and the States. If it shall be determined that the commerce is interstate, then the regulation is exclusively in the General Government. If it is intrastate, such commerce is within the control of the State.

It should be noted, however, by the committee that no statement of the bill as to whether it shall or shall not constitute interstate commerce will govern. That will be determined by the courts, no matter what the terms of the bill may be. It is not within the province of Congress to determine whether or not a certain thing is or is not interstate commerce. Congress can not determine in advance, or interpret in advance, the Constitution, which places the authority over interstate commerce with Congress.

This amendment is perfectly in accordance with the law as it has been interpreted by the courts. It leaves with the Government of the United States the control of that which is interstate commerce. It commits to the States the regulation of corporations which operate utilities whose scope of operation is entirely within the State.

It seems to me, Mr. Chairman, that there ought to be no complaint made, especially by gentlemen who are to be benefited by this change.

Mr. MONDELL. The gentlemen who are going to be benefited are for it. That is, their constituents are going to be benefited by it.

Mr. TOWNER. It seems to me that the gentleman from Wyoming, instead of complaining of the offering of this amendment, ought to be grateful to the gentleman who has offered it.

Mr. MONDELL. I am.

Mr. TOWNER. And ought to be here supporting it. In spite of that, I can recall no words uttered by the gentleman from Wyoming commendatory of the amendment, although it makes clear that the States shall have the right to control the utilities within their borders. This is in harmony with the law as it exists; not that we could change it if we desired to do so, but certainly we ought to endeavor to make our legislation conform to established law.

Mr. MONDELL. Does the gentleman from Iowa think the gentleman from Wyoming should exhibit any unholy joy when the ultraconservationists are surrendering all the sacred principles of their bill? Does the gentleman think we ought to contain ourselves and be satisfied without expressing our satisfaction?

Mr. TOWNER. If the gentleman will pardon me, that is his great delusion. The gentleman believes that any endeavor on the part of anybody to make any law with regard to the control of any of the public lands or utilities in any of the lands within the Western States is an invasion of the State's established right. I believe that this bill is of benefit to the people of the gentleman's State and of every other Western State. I believe that this is not an act to tie up their energies or will withhold their benefits from their people. I believe that in the years to come the gentleman from Wyoming and those people whom the gentleman represents will be glad that this bill has been enacted into law, not that it is perfect in its terms but because, on the whole, it is as good a bill as we can perhaps secure for the determination of a question that should be determined by law. It is because it has not been determined by law heretofore that the utilities within those States have not been used as they ought to have been. It has been because there has been no law defining and determining these rights that there has been an insufficient or an arrested development of the resources of the States. When it shall be known what the law is and what the rights are that may be acquired under it, then these tremendous energies that the gentleman talks about so eloquently will be made available to the people of the West under, I think, reasonable laws and restrictions. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin [Mr. LENROOT].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 4. That except upon the written consent of the Secretary of the Interior no sale or delivery of power shall be made to a distributing company, except in case of an emergency, and then only for a period not exceeding 30 days, nor shall any lease issued under this act be assignable or transferable without such written consent: *Provided, however*, That no lessee under this act shall create any lien upon any power project developed under a permit issued under this act by mortgage or trust deed, except approved by the Secretary of the Interior and for the bona fide purpose of financing the business of the lessee. Any successor or assign of such property or project, whether by voluntary transfer, judicial sale, foreclosure sale, or otherwise, shall be subject to all the conditions of the approval under which such rights are held, and also subject to all the provisions and conditions of this act to the same extent as though such successor or assign were the original lessee hereunder.

With committee amendments, as follows:

Page 4, lines 20 and 21, strike out the words "voluntary transfer."

The CHAIRMAN. The question is on agreeing to the first committee amendment.

Mr. MANN. Mr. Chairman, what is the reason for striking out the words "voluntary transfer"? Would not that leave it so that if there should be a voluntary transfer there would be no control over the subject at all?

Mr. FERRIS. The thought of the committee was that voluntary transfer in this connection, dealing with the involuntary sale, was out of place. We believed that the language in line 15 down to the period on line 19, and the forepart of the section, dealt with the voluntary, and this particular language with only the involuntary part of it.

Mr. MANN. Very well.

Mr. FERRIS. I think you will find that that is the case.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read the next committee amendment.

The Clerk read as follows:

Page 4, line 22, strike out the word "approval" and insert in lieu thereof the word "lease."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

Mr. MONDELL. Mr. Chairman, now that the amendment offered by the gentleman from Wisconsin [Mr. LENROOT] has been adopted, and it is safe to express an opinion in regard to it, I want to say that it was a wise and valuable amendment. It takes out of the bill most of the Federal control on which the gentlemen who have been insisting upon this class of legislation have been pluming themselves.

There remains now, as I said a moment ago, only Federal control in Utah until Utah shall provide a public-service commission. There remains only Federal control, so far as rates are concerned, over current that may be passed into one State from another; otherwise we now have local control—the proper kind of control.

It has taken a long time to get the gentlemen to understand how iniquitous the provisions of their bill were, but they are gradually coming to realize it.

The gentleman from Iowa [Mr. TOWNER] a moment ago made a statement that was a surprise to me, considering what an intelligent man he is, how bright and generally accurate. He said that we of the West, and I personally, objected to any sort of control over public lands anywhere. The gentleman must know that that is not true. We have been legislating here for many years for control over the public domain, and it happened to be the good fortune of the gentleman from Wyoming to have had a good deal to do with considerable of the legislation now on the statute books that does largely control public lands, and in a very proper way. I have never had to apologize for any legislation that I favored, or any that I opposed, for that matter, touching the public domain.

The committee is finally realizing what an awful injustice was proposed when it started out in its bill of last year, which it pushed through this House, raising the bogey man of monopoly, and which it introduced again in the same form this year, only to amend it on the floor after undergoing persistent hammering. The committee is to be congratulated that at last it is seeing the light. One by one the trenches occupied by its long line of conservation have been abandoned. They started in by scaring the people into a fear of monopoly and combination, and they got to discussing the matter of monopoly and combination until they became so familiar with their bogey man that, as some great poet once said—or was it somebody in Scripture? [laughter]—having become familiar with it they finally embraced it, and are now all for combination, provided the combination is properly controlled. They are now quite right

about that. They still insisted that, for fear that the people of the several States of the Union would allow themselves to be sandbagged and held up and throttled and robbed by their own corporations, they must be controlled by a clerk down here in the sub-basement of the Interior Department. But after it had been hammered in on them so long that they realized what an injustice, what a crying crime it would be under our Government to take from the people local control over their own corporations, because a power company to escape local control passes a current across a State line—after that had been hammered in on them with sufficient frequency and emphasis, the gentlemen came in with an amendment relinquishing all this Federal control except as to the attenuated line that may cross the border of a State. As to the balance, the State still controls since the adoption of the amendment. Of course if anyone from a public-land State had offered the amendment, the gentlemen would have all voted against it. We are content they have seen fit to offer it.

Mr. FERRIS. Mr. Chairman, the gentleman from Wyoming is a good deal like the country school-teacher who went to apply for a school and was asked whether he taught that the earth was round or flat. He replied that he could teach it either way, according as the school trustees desired. [Laughter.] Only a few moments ago in a very spirited speech the gentleman from Wyoming spoke 10 minutes in opposition to the amendment. Now, amidst great eulogy and self-confidence, he approves of what the committee did in adopting it. If anyone can follow such logic as that, he can do better than I can.

Mr. MANN. The gentleman did not get the fine distinction made by the gentleman from Wyoming. He said now that the danger was all past he would speak in favor of the amendment. [Laughter.]

The CHAIRMAN. The pro forma amendment being withdrawn, the Clerk will read.

The Clerk read as follows:

Page 5, line 2, strike out the word "three" and insert the word "five."

The amendment was agreed to.

The Clerk read as follows:

Page 5, lines 4 and 5, after the word "right," insert the words "after the expiration of the lease."

The amendment was agreed to.

The Clerk read as follows:

Page 5, line 20, after the word "instituted," insert the words "for that purpose."

The amendment was agreed to.

The Clerk read as follows:

Page 5, line 21, strike out the word "district."

Mr. MANN. Mr. Chairman, I am under the impression that to strike out the word "district" would be a mistake. The name of the court is the district court.

Mr. FERRIS. I think the gentleman is right about that.

Mr. MANN. It is not referred to simply as the United States court for the district, but it is the United States district court for a certain district.

Mr. FERRIS. I think the gentleman is right about that.

Mr. MANN. Then let us disagree to the amendment.

The CHAIRMAN. The question is on agreeing to the committee amendment, which has been read.

The amendment was rejected.

The Clerk read as follows:

Page 5, line 21, after the word "court," strike out the words "for that purpose" and insert the words "for the district in which said property or some part thereof is situated."

The amendment was agreed to.

The Clerk read as follows:

Sec. 6. That in the event the United States does not exercise its right to take over, maintain, and operate the properties as provided in section 5 hereof, or does not renew the lease to the original lessee upon such terms and conditions and for such periods as may be authorized under the then existing applicable laws, the Secretary of the Interior is authorized, upon the expiration of any lease under this act, to lease the properties of the original lessee to a new lessee upon such terms, under such conditions, and for such periods as applicable laws may then authorize, and upon the further condition that the new lessee shall pay for the properties as provided in section 5 of this act.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. This is the section which provides for the so-called recapture of the plant at the expiration of the period of 50 years.

I know that just at this time it is not at all popular to talk against the very popular notion of recapture. I do not expect many to agree with me in my views upon that particular matter, but I have not yet been able to understand how the people are to be benefited by a provision of that kind. The only interest that the people have in power development is to secure the best service at the best possible rate. It is immaterial to the people served who owns the plant, whether it belongs to one corpora-

tion or another or to Tom, Dick, or Harry. Their interest is in the service. Now, if a plant is under efficient public control, as it should be—and public control is becoming more efficient all the time in this country—the rate will be the lowest and the service the best when the title is least disturbed. If a plant having been erected is to continue indefinitely in a certain ownership unless transferred voluntarily, the corporation or individual owning it coming before a public-service commission can make no claim of a right to fix a rate based largely upon the necessity of amortizing losses that are sure to come at a given time. If the property is to continue indefinitely in the same ownership there are no losses except those of deterioration or accident, and the amount to be added to the rates to cover such losses as those is small. But when there is a date in the future when the property is to be taken over, and particularly when taken over under conditions fixed in this bill, then any public-service corporation operating under these conditions may and will come before public-service commissions claiming that there is a time set, a fixed day when there is to be a definite loss, and that it is the right of the corporation to amortize the loss and add it to the amount charged for the service. That will, of course, add to the cost of the current, and therefore I can not see that the people are served or benefited by a provision for recapture, particularly by one involving a loss to the owners.

Mr. BENNET. Mr. Chairman, I move to strike out the last word.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of five minutes all debate on this section be closed.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that at the end of five minutes debate on this section be closed. Is there objection?

There was no objection.

Mr. BENNET. Mr. Chairman, I want to ask the gentleman from Oklahoma if he thinks the language in the first four lines of this section, page 5, covers all the contingencies that I think the section intends to cover in regard to what may happen. Suppose that within 2 years and 11 months prior to the expiration of the lease a condition arises so that the company gets into difficulty, where all parties desire to have the Government take it over. Is it necessary to have this long notice so that it would absolutely preclude the Government under any circumstances from taking over the property unless it gave three years' notice?

Mr. FERRIS. We do that on the testimony and facts which we had before the committee that with the expenditure of so large an amount of money, in nearly every case aggregating more than a million dollars, they ought to have a sufficient time to shift and adjust themselves to what they knew was coming in the end, and we thought that 3 years on a 50-year lease was not too much.

We found that we made a mistake last year in the bill when we required three years' notice. That would require the Government to give the notice on a certain day, and so we changed it and required from three years to five years' notice, so that the Government may have two years in which to make up its mind.

Mr. BENNET. I agree that there should be a lengthy notice. That part of it is all right; but my question is whether or not there ought not to be some leeway in justice to the corporation as well as to the Government, so that if conditions changed, so that if the corporation itself changed, there might be some discretion somewhere and not be confined to the three years' notice.

Mr. FERRIS. If the gentleman will read section 6, he will find that that situation he speaks of is dealt with.

The Clerk read section 6 of the bill, as follows:

Sec. 6. That in the event the United States does not exercise its right to take over, maintain, and operate the properties as provided in section 5 hereof, or does not renew the lease to the original lessee upon such terms and conditions and for such periods as may be authorized under the then existing applicable laws, the Secretary of the Interior is authorized, upon the expiration of any lease under this act, to lease the properties of the original lessee to a new lessee upon such terms, under such conditions, and for such periods as applicable laws may then authorize, and upon the further condition that the new lessee shall pay for the properties as provided in section 5 of this act.

Mr. MONDELL. Mr. Chairman, I move to strike out the section. I would like to have the attention of the committee on this section because it is a very important one. It is one which deserves careful consideration. As I said a moment ago, I did not expect a great many to agree with me in my opposition to the idea of recapture, but I can not understand how anyone can disagree with my view that section 6 should be stricken from the bill.

Let us see what the situation is. The provision for recapture contained in section 5, one under which the Government may take over the property, provides that in taking over the plant

the Government shall pay the reasonable value of the tangible property and the actual first cost of water rights, rights of way, and land, or interest in the same, but no consideration is to be given to the value of the property as a going concern. In other words, it proceeds on the theory—an erroneous theory it will be in a majority of cases affected by this bill—that the operation is dependent in a large and important way on the grant by the Federal Government of a lease to the land, and therefore, inasmuch as the operation is to that extent by grace of the Government, if you please, the Government may provide in its recapture at the end of 50 years for taking the property back at the reasonable value of the tangible property without any allowance for increase in the value of the real estate, right of way, and so forth.

Now, assuming, for the sake of argument, that it may be proper for the Government granting a right to operate to take the property back in that way, is it right, is it fair, is it just, is it in accordance with the protection to property which our Constitution gives for the Federal Government at the end of 50 years to take property belonging to B and turn it over to A, who has had nothing to do with it, nothing to do with building it up, nothing to do with adding to its value, turning it over to him without giving anything to the owner, builder, and developer for its value as a going concern?

How can we hope to encourage men to build up great enterprises by individual effort, by the tremendous individual effort that is necessary to make a great concern successful, if at the end of a given term it may be thus transferred? How can we hope that men's best energies will be put forth in the development of these properties if at the end of 50 years the property can be turned over to some favorite or friend of a then Secretary of the Interior? I am not assuming that Secretaries of the Interior will not attempt to do their duty, but if we have become so fearful of the people in their collective capacity, why should we be so confident of the integrity of a single individual because he chances to be a Secretary of the Interior? If we can not trust the people of a Commonwealth to control in their own interests, can we expect that, because a man is appointed Secretary of the Interior, he will always be just or wise or honest? This floor within the last few years has rung with denunciations of the motives and the acts of a man occupying that position.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

Mr. FERRIS. Mr. Chairman, reserving the right to object, how much time does the gentleman want?

Mr. MONDELL. Five minutes.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that, at the expiration of seven minutes, debate on this section and all amendments thereto close.

Mr. BENNET. I suggest that the gentleman make that 10 minutes, as I would like to have 3 minutes.

Mr. LENROOT. I want 5 minutes reserved. I may not use them.

Mr. MANN. I think we should quit some time to-night.

Mr. FERRIS. The gentleman would not object to going on and finishing this section?

Mr. MANN. I have no objection to limiting the debate if we quit at 5 o'clock.

Mr. FERRIS. I ask unanimous consent that all debate on this section and all amendments thereto close in 13 minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to close debate on the paragraph and all amendments thereto in 13 minutes. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, it is to be assumed that whatever we undertake to do in this bill we undertake to do in the public interest. How is the public to be served by transferring a given plant from A to B at the suggestion or the desire or on the motion of the Secretary of the Interior? Every requirement which the Secretary may lay upon B he may lay upon A as a condition of his retaining the lease and his property. Every obligation that B may assume, A may be compelled to undertake in order to remain the owner of the property, and yet we propose to give Secretaries of the Interior the power to take from A a property which he has built up, established, developed, into which he has put a lifetime of effort, all of the time under public control, and turn it over to B simply because something about B suits the Secretary of the Interior better than the original owner. Whereupon the property is recaptured not at its value as a growing concern—if after recapture the

property may be arbitrarily transferred to another individual certainly he ought to pay what it is worth, what its value is as a growing concern—but it is to be transferred to him at a fair value of the plant and machinery only, but without any value based on the business, its development, or on the increased value of the property in the 50 years during which it had been in existence.

If this does not come pretty nearly being confiscation, if it is not actually taking property without due process of law, then I do not know how you would go about taking property without due process of law, except to take it as the bandits are taking it down in Mexico—at the point of the revolver.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. TOWNER. Does the gentleman believe the same doctrine which he is now announcing ought to apply to all leases—that they ought to be considered confiscatory if possession is turned over to the owner of the property at the expiration of the lease?

Mr. MONDELL. Oh, the gentleman has not done me the honor to listen to what I have said. I am suggesting that, assuming it is right for the Federal Government to take the property under the conditions fixed in the section, it can not be fair or in the public interest to so take it and turn it over to a stranger.

Mr. TOWNER. To another lessee; that is all.

Mr. MONDELL. If I am to take possession of your property at the end of 50 years, an individual charged with no more responsibility, willing to do nothing more in the public interest than you, should I not pay you what the property is actually worth? Instead of that, if I please the Secretary of the Interior, if he is kindly disposed toward me, if he thinks well of me, he turns the property over to me, not at what it is worth to you, but at a reasonable value of the machinery, without any increased value on the lands or water rights or compensation for the business you have built up.

Mr. TOWNER. How can you complain of a man—

Mr. MONDELL. I will not complain, because I do not expect to own any power plant.

Mr. TOWNER. Who has gotten everything that the Government agreed to give him. He has had it for 50 years, and now the gentleman says it is confiscation if he does not have an extension of it granted.

Mr. MONDELL. It is confiscation when the Federal Government plays the favorite, and the Federal Government would be playing the favorite in that case. What limitless opportunity for favoritism, or worse for graft and plunder, would be thus presented and when would the public be the gainer.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. BENNET. Mr. Chairman, this section is drawn with the naïve simplicity of 1870. It is way behind the times of modern methods in connection with recapture as found in the statute books of many States, such as we ought to take advantage of here. There ought to be a provision for competitive bidding. It is all wrong to put in the hands of any one man—the Secretary of the Interior or anyone else—the temptation of doing a favor for a personal friend or a political associate, and the more we can keep out of our governmental system provisions like this the more we can be modern—1916—and not go back to the days of William M. Tweed, who used provisions exactly like this to take money out of the Public Treasury through the instrumentality of friends. The more we can keep up to date and limit our executive officers by competitive bidding in matters like this it ought to be done. I do not think the section ought to go out as a whole; but I do hope that, as we have reached the hour of 5 o'clock, and I presume the gentleman is going on to-morrow, that he will let this section be passed over until to-morrow and see if we can not work out some proposition by which we can put modern thought in up-to-date words into this section.

Mr. MANN. I would like to suggest to the gentleman from Oklahoma—

Mr. FERRIS. Mr. Chairman, I may have a word to say in regard to the presentation just made by the gentleman from New York to-morrow, so I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HARRISON, Chairman of the Committee of the Whole House on the state of the Union, reported that that body had had under consideration the bill (H. R. 408) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. POWERS. Mr. Speaker, I ask unanimous consent that leave of absence for two days be granted to Mr. LANGLEY, on account of illness.

The SPEAKER. Without objection, it is so ordered. There was no objection.

EXPORT OF MUNITIONS OF WAR.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent to address the House for five minutes in reply to a suggestion made by the gentleman from Massachusetts [Mr. GARDNER].

The SPEAKER. The gentleman from Ohio asks unanimous consent that he may address the House for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LONGWORTH. Mr. Speaker, we listened a few hours ago to a speech on a matter of grave national importance, very earnestly and eloquently delivered by the distinguished gentleman from Massachusetts, Mr. GARDNER. The speech gave evidence of long preparation and deep thought. It is particularly unfortunate, therefore, that there should have appeared in it a sentence which could only be the result of carelessness or particularly gross misinformation as to the actual facts. In discussing the attitude of the German-Americans in this country he made use of the following language:

He (the German-American) demands perfectly frankly that the United States by legislation shall redeem the inequality created by the might of Great Britain at sea. His argument is perfectly simple and from his point of view sound. He says, "Ammunition helps the allies; so by hook or by crook, by laws or strikes, by torpedoes or by mines, by gold or by dynamite, we will do everything we can to prevent that ammunition reaching the allies."

Mindful, as I am, of the etiquette of debate, I shall go no further than to characterize this language as intemperate and reckless in the highest degree, more reckless and intemperate even than the language we heard in this House not very long ago from one holding higher office than any of us here.

The gentleman from Massachusetts, in reply to a question asked him by the gentleman from Wisconsin, Mr. STAFFORD, undertook to justify this statement on the authority of articles he had read in eastern newspapers. That is a woefully flimsy excuse, Mr. Speaker, for the indictment of a large group of American citizens who are—and I measure my words—as law-abiding and patriotic as any other American citizens who pay allegiance to our flag, no matter from what country they or their ancestors may have come. I speak in this House for a large number of German-Americans, and I resent the imputation that in the purity of their motives or lawfulness of their acts, now or at any time, they are not the peers of any body of American citizens. Their sympathies may be with the fatherland in this war. Do you criticize them for that? Would you criticize an American of English ancestry because his sympathies as an individual were with his fatherland? But any statement which can be construed as asserting that the great body of American citizens who are of German extraction are disloyal to the flag of their country or contemptuous of her laws is wholly and absolutely false.

I say this without any imputation upon the good faith of the distinguished gentleman from Massachusetts. I can only believe that he spoke without any real knowledge of the facts. Unfortunately for him, as I believe, there are few, if any, of his constituents who are of German extraction, and he is therefore unacquainted with their sterling qualities as citizens. I regret exceedingly that he made this speech at all. It does not seem to me that this is the time to bring up these questions in Congress and fan the flame of racial hatred in this country. I do not know whether or not the question of prohibiting the export of munitions will ever reach the floor of this House, but if it does of this I am confident, that of the votes cast upon either side of this question by gentlemen whose sole desire is to do their duty to their constituency and their country as they see it, there will be few indeed which will be predicated upon the proposition that the German-Americans of this country as a body are not loyal and patriotic American citizens. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House was requested:

S. 788. An act permitting the Wolf Point Bridge & Development Co. to construct, maintain, and operate a bridge across the Missouri River in the State of Montana.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House

of Representatives that the President had approved and signed bills and joint resolutions of the following titles:

December 17, 1915:

H. R. 663. An act granting the consent of Congress to the Citizens' Bridge Co. to construct a bridge across the Mississippi River at or near Burlington, Iowa;

H. R. 3638. An act to extend the time for constructing a bridge across the St. Francis River at or near St. Francis, Ark.

S. J. Res. 38. Joint resolution to transfer the Government exhibit from the Panama-Pacific International Exposition to the Panama-California Exposition, and for other purposes;

H. J. Res. 59. Joint resolution extending the provisions of the act entitled "An act to increase the internal revenue, and for other purposes," approved October 22, 1914, to December 31, 1916;

H. J. Res. 61. Joint resolution authorizing payment of the salaries of officers and employees of Congress for December, 1915; and

H. J. Res. 60. Joint resolution making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1916.

December 18, 1915:

S. 696. An act authorizing the Pennsylvania Railroad Co. to construct, maintain, and operate a bridge across the Allegheny River at Oil City, Venango County, Pa.; and

S. J. Res. 56. Joint resolution extending the time for filing the report of the Joint Committee of Congress on the Fiscal Relations between the District of Columbia and the United States.

ADJOURNMENT.

Mr. FERRIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned until Saturday, January 8, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Commissioner of Internal Revenue submitting an urgent estimate of deficiency in the appropriation "Salaries and expenses of collectors of internal revenue" for the fiscal year ending June 30, 1916 (H. Doc. No. 506); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Commissioner of Internal Revenue submitting supplemental and additional estimates of appropriations for the service of the fiscal year ending June 30, 1917 (H. Doc. No. 507); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting an estimate of a deficiency in the appropriation for the Coast Guard for the fiscal year 1916 (H. Doc. No. 508); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting urgent estimate of deficiencies in appropriations required for the United States Public Health Service for the current fiscal year (H. Doc. 509); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 3636) to amend section 3646 of the Revised Statutes of the United States as reenacted and amended by act of February 23, 1909, reported the same without amendment, accompanied by a report (No. 18), which said bill and report were referred to the House Calendar.

Mr. STERLING, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 665) to authorize the construction of bridges across the Fox River at Aurora, Ill., reported the same with amendment, accompanied by a report (No. 19), which said bill and report were referred to the House Calendar.

Mr. DILLON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 320) to authorize the county commissioners of Bonner County, Idaho, to construct a bridge across Priest River, reported the same with

amendment, accompanied by a report (No. 20), which said bill and report were referred to the House Calendar.

Mr. SUTHERLAND, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 3593) to authorize the Ohio-West Virginia Bridge Co. to construct a bridge across the Ohio River at the city of Steubenville, Jefferson County, Ohio, reported the same with amendment, accompanied by a report (No. 21), which said bill and report were referred to the House Calendar.

Mr. DECKER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 4716) to authorize Dunklin County, Mo., and Clay County, Ark., to construct a bridge across St. Francis River, reported the same with amendment, accompanied by a report (No. 22), which said bill and report were referred to the House Calendar.

Mr. SUTHERLAND, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 306) granting the consent of Congress to William H. Preece, of Incz, Ky., to construct a bridge across the Tug Fork of the Big Sandy River at or near Warfield, Ky., reported the same without amendment, accompanied by a report (No. 23), which said bill and report were referred to the House Calendar.

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 775) granting the consent of Congress to J. P. Jones and others to construct one or more bridges across the Chattahoochee River between the counties of Coweta and Carroll, in the State of Georgia, reported the same without amendment, accompanied by a report (No. 24), which said bill and report were referred to the House Calendar.

Mr. DECKER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 6448) to authorize Butler and Dunklin Counties, Mo., to construct a bridge across St. Francis River, reported the same without amendment, accompanied by a report (No. 25), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 5187) to authorize the adjudication of the claim of the legal representatives of Cornelius P. Cassin, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GOOD: A bill (H. R. 7716) to amend the act of April 19, 1908, relating to pensioning widows of soldiers, etc., of the Civil War, and granting pensions to certain widows of enlisted men, soldiers and officers, who served in the late Civil War, etc.; to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 8223) to purchase a painting of the Battle of Gettysburg; to the Committee on the Library.

By Mr. PARK: A bill (H. R. 8224) to provide that the Secretary of Agriculture, on behalf of the United States, shall, in certain cases, aid the States in the construction and maintenance of rural post roads; to the Committee on Roads.

By Mr. HUDDLESTON: A bill (H. R. 8225) providing for a survey of Valley Creek, in Jefferson County, Ala., with the view to making same navigable; to the Committee on Rivers and Harbors.

By Mr. YOUNG of North Dakota: A bill (H. R. 8226) making appropriation for the construction and equipment of a dormitory and other buildings for the Indian school at Bismarck, N. Dak.; to the Committee on Indian Affairs.

By Mr. STEDMAN: A bill (H. R. 8227) to require all cotton exchanges in the United States doing an interstate or foreign business or both to keep a record of all sales made, and to require the buyer of cotton on such exchange to specify the grade he is to receive, and the seller of cotton on such exchange to deliver the grade so specified by the buyer; to the Committee on Agriculture.

Also, a bill (H. R. 8228) to provide for the erection of a public building at Greensboro, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8229) to establish a national military park at the battle field of Guilford Courthouse; to the Committee on Military Affairs.

Also, a bill (H. R. 8230) to provide for the erection of a public building at Mount Airy, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. ROBERTS of Nevada: A bill (H. R. 8231) to enable the Secretary of Agriculture to experiment with the cultivation of grasses and other vegetation upon the arid public lands of Nevada; to the Committee on Agriculture.

Also, a bill (H. R. 8232) to provide for the extermination of coyotes in the State of Nevada; to the Committee on Agriculture.

By Mr. COOPER of Ohio: A bill (H. R. 8233) granting the consent of Congress to the Republic Iron & Steel Co. to construct a bridge across the Mahoning River in the State of Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. KEATING: A bill (H. R. 8234) to prevent interstate commerce in the products of child labor, and for other purposes; to the Committee on Labor.

By Mr. FLOOD: A bill (H. R. 8235) to provide for the maintenance of the United States Section of the International High Commission; to the Committee on Foreign Affairs.

By Mr. THOMPSON: A bill (H. R. 8236) for the purchase of a site and the erection thereon of a public building at Stillwater, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8237) for the erection of a public building at Sulphur, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8238) providing a per capita payment to the members of the Choctaw and Chickasaw Tribes of Indians; to the Committee on Indian Affairs.

Also, a bill (H. R. 8239) to purchase a site and erect a plant for the manufacture of arms, ordnance, armor, munitions, and other military and naval supplies by the Government of the United States; to the Committee on Naval Affairs.

By Mr. SHACKLEFORD: A bill (H. R. 8240) for the extension, remodeling, and improvement of the public building at Jefferson City, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. THOMPSON: A bill (H. R. 8241) for the purchase of a site and the erection thereon of a public building at Norman, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. HASTINGS: A bill (H. R. 8242) to authorize the acquisition of a site and the repairing and enlargement of a Federal building thereon at Okmulgee, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of New York: A bill (H. R. 8243) for the protection of the Six Nation Indians; to the Committee on Indian Affairs.

By Mr. SLEMP: A bill (H. R. 8244) to provide that the United States shall aid the States in the construction of rural post roads; to the Committee on Roads.

By Mr. BYRNES of South Carolina: A bill (H. R. 8245) to provide for the construction of a public building at Aiken, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8246) to revive the right of action under the act of March 12, 1863 (12 Stat. L., 820); to the Committee on War Claims.

By Mr. HARRISON: A bill (H. R. 8247) to reopen the rolls of the Choctaw-Chickasaw Tribe and to provide for the awarding of the rights secured to certain persons by the fourteenth article of the treaty of Dancing Rabbit Creek, of date September 27, 1830; to the Committee on Indian Affairs.

By Mr. DILL: A bill (H. R. 8248) to authorize the construction of a bridge across the Pend Oreille River, between the towns of Metaline and Metaline Falls, Wash.; to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: Resolution (H. Res. 81) directing the Committee on the District of Columbia to investigate and report on alleged misconduct of officials of the District of Columbia; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 8249) granting an increase of pension to Jerry Vance; to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 8250) granting an increase of pension to Martin Jordan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8251) granting an increase of pension to Henry Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8252) granting an increase of pension to Eli Haskett; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 8253) granting an increase of pension to William Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8254) granting an increase of pension to Amos Lynne; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8255) granting an increase of pension to Benjamin Ammons; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 8256) granting a pension to Parkman S. Warren; to the Committee on Invalid Pensions.

By Mr. BAILEY: A bill (H. R. 8257) granting a pension to Hannah Stoudnour; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8258) for the relief of the widow of Samuel Walter; to the Committee on Military Affairs.

By Mr. BROWN of West Virginia: A bill (H. R. 8259) to appoint George W. Littlehales a professor in the corps of professors of mathematics in the Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 8260) granting an increase of pension to Daniel R. Jackson; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 8261) granting an increase of pension to Wilford M. Taylor; to the Committee on Invalid Pensions.

By Mr. COSTELLO: A bill (H. R. 8262) for the relief of Annie McColgan; to the Committee on Claims.

Also, a bill (H. R. 8263) granting a pension to Francis A. Grennen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8264) for the relief of Francis A. Grennen; to the Committee on Claims.

By Mr. CHURCH: A bill (H. R. 8265) for the relief of the heirs of Samuel B. Hendrick; to the Committee on Claims.

Also, a bill (H. R. 8266) for the relief of the People's Mutual Building & Loan Association, of Bakersfield, Cal.; to the Committee on Claims.

Also, a bill (H. R. 8267) to place Bernard A. Schaaf on the retired list of the Army; to the Committee on Military Affairs.

By Mr. CONRY: A bill (H. R. 8268) granting a pension to Josephine W. James; to the Committee on Invalid Pensions.

By Mr. COPLEY: A bill (H. R. 8269) granting an increase of pension to Emily C. Sperry; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 8270) to pay M. A. Sweeney Shipyard & Foundry Co. for building a boat named *John Ewens*; to the Committee on Claims.

By Mr. CRAGO: A bill (H. R. 8271) granting a pension to Lena McKee Huffman; to the Committee on Invalid Pensions.

By Mr. DARROW: A bill (H. R. 8272) granting an increase of pension to Peter A. Fitzpatrick; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 8273) granting a pension to Alexander C. Easter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8274) granting an increase of pension to William C. Douglas; to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 8275) to validate the Indian allotment application of Anna Campbell Valentine; to the Committee on the Public Lands.

By Mr. FARR: A bill (H. R. 8276) granting a pension to James A. Lovelass; to the Committee on Pensions.

Also, a bill (H. R. 8277) to reinstate Arthur Hubesty Turner as a second lieutenant in the United States Marine Corps; to the Committee on Naval Affairs.

By Mr. FOCHT: A bill (H. R. 8279) for the relief of Ira Snyder; to the Committee on Military Affairs.

By Mr. FULLER: A bill (H. R. 8280) granting an increase of pension to Eliza A. Lantz; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 8281) granting a pension to Rhoda L. Goreham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8282) granting an increase of pension to Frank Bennett; to the Committee on Pensions.

By Mr. HOLLAND: A bill (H. R. 8283) granting a pension to John McElroy; to the Committee on Pensions.

By Mr. HAUGEN: A bill (H. R. 8284) granting a pension to Jane Darling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8285) granting an increase of pension to Cash Keeley; to the Committee on Pensions.

Also, a bill (H. R. 8286) for the relief of John C. Kathan; to the Committee on Military Affairs.

Also, a bill (H. R. 8287) for the relief of Robert McFarland; to the Committee on Military Affairs.

By Mr. HELVERING: A bill (H. R. 8288) granting an increase of pension to Isalah Walker; to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 8289) for the relief of C. G. Wilford; to the Committee on Claims.

Also, a bill (H. R. 8290) for the relief of Peter McKay; to the Committee on Pensions.

By Mr. KEISTER: A bill (H. R. 8291) granting a pension to Kate A. Lozier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8292) granting a pension to Samuel Burket; to the Committee on Pensions.

Also, a bill (H. R. 8293) granting a pension to Harry L. Wilson; to the Committee on Pensions.

Also, a bill (H. R. 8294) granting an increase of pension to George W. Alms; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 8295) to remove the charge of desertion from the military record of William Earl; to the Committee on Military Affairs.

By Mr. KINKAID: A bill (H. R. 8296) granting an increase of pension to Justus H. Lyon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8297) granting a pension to Ralph S. Fleming; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 8298) granting a pension to Henry Fields; to the Committee on Pensions.

Also, a bill (H. R. 8299) granting an increase of pension to Sarah Dotson; to the Committee on Invalid Pensions.

By Mr. GARDNER: A bill (H. R. 8300) granting an increase of pension to George F. Gowen; to the Committee on Invalid Pensions.

By Mr. LAZARO: A bill (H. R. 8301) for the relief of Arthur J. Coney, sole heir of L. J. J. Coney, deceased; to the Committee on War Claims.

By Mr. LEE: A bill (H. R. 8302) granting an increase of pension to Julia Ann Ross; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 8303) granting an increase of pension to Perry F. Holstein; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8304) granting an increase of pension to Norval Jones; to the Committee on Invalid Pensions.

By Mr. LOBECK: A bill (H. R. 8305) granting an increase of pension to William G. Otis; to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 8306) granting an increase of pension to Harvey R. Dittenhafer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8307) granting a pension to Allen Landis; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 8308) granting an increase of pension to Melissa Fleming; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8309) granting an increase of pension to Delia E. Griswold; to the Committee on Invalid Pensions.

By Mr. MILLER of Delaware: A bill (H. R. 8310) for the relief of George T. Hamilton; to the Committee on Claims.

Also, a bill (H. R. 8311) for the relief of the Delaware Transportation Co.; to the Committee on Claims.

By Mr. MOTT: A bill (H. R. 8312) granting permission to Lieut. Col. John P. Finley to accept and wear a decoration presented by the Sultan of Turkey; to the Committee on Foreign Affairs.

Also, a bill (H. R. 8313) providing for the refund to Thomas & Pierson, of New York, N. Y., of certain duties upon abandoned goods under paragraph 10 of section 3 of the tariff act of October 3, 1913; to the Committee on Claims.

By Mr. NEELY: A bill (H. R. 8314) granting an increase of pension to Benjamin F. Smith; to the Committee on Invalid Pensions.

By Mr. NORTH: A bill (H. R. 8315) granting an increase of pension to Carrier Thompson; to the Committee on Pensions.

Also, a bill (H. R. 8316) granting an increase of pension to George A. Blose; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8317) granting an increase of pension to James B. Graham; to the Committee on Invalid Pensions.

By Mr. POU: A bill (H. R. 8318) for the relief of De Barbieri & Co., of Valparaiso, Chile; to the Committee on Claims.

Also (by request), a bill (H. R. 8319) for the relief of the legal representatives of Oliver H. Dockery; to the Committee on Claims.

Also (by request), a bill (H. R. 8320) for the relief of the legal representatives of Nathaniel Boyden; to the Committee on Claims.

By Mr. PRATT: A bill (H. R. 8321) granting a pension to Martha A. Halsey; to the Committee on Invalid Pensions.

By Mr. ROGERS: A bill (H. R. 8322) granting a pension to Abbie M. Holyoke; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 8323) granting a pension to Henry J. Andrews; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8324) granting an increase of pension to James Hobbs; to the Committee on Invalid Pensions.

By Mr. SANFORD: A bill (H. R. 8325) for the relief of Borden H. Mills; to the Committee on Claims.

By Mr. SCULLY: A bill (H. R. 8326) granting an increase of pension to Cornelia J. Ames; to the Committee on Pensions.

Also, a bill (H. R. 8327) granting a pension to Annie F. Baurer; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 8328) granting a pension to Samuel E. Simerly; to the Committee on Pensions.

By Mr. SHOUSE: A bill (H. R. 8329) to pay an award in favor of the heirs of John W. West, deceased; to the Committee on Claims.

By Mr. STEDMAN: A bill (H. R. 8330) for the relief of Hamilton Perryman and others; to the Committee on Claims.

Also, a bill (H. R. 8331) for the relief of the legal representatives of James Rierson, deceased; to the Committee on War Claims.

Also, a bill (H. R. 8332) for the relief of the estate of R. J. H. Hatchett, deceased; to the Committee on Claims.

By Mr. TAVENNER: A bill (H. R. 8333) granting an increase of pension to Thomas J. Parsons; to the Committee on Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 8334) granting a pension to Emerson E. Paden; to the Committee on Pensions.

Also, a bill (H. R. 8335) for the relief of Jacob Holman; to the Committee on Claims.

By Mr. THOMPSON: A bill (H. R. 8336) granting a pension to Andrew J. Legg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8337) granting a pension to Jane Curry; to the Committee on Invalid Pensions.

By Mr. WASON: A bill (H. R. 8338) for the relief of John Cunningham; to the Committee on Military Affairs.

By Mr. WHEELER: A bill (H. R. 8339) granting an increase of pension to Joshua C. Clevenger; to the Committee on Invalid Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 8340) granting a pension to Bertha Lee; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A joint resolution (H. J. Res. 89) to amend an act entitled "An act granting pensions to certain widows and dependent children of soldiers and sailors of said war," approved February 25, 1915; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the Woman's Christian Temperance Union of St. Louis, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BEALES: Petition of citizens of Hanover, Pa., protesting against military preparedness; to the Committee on Military Affairs.

By Mr. DALE of New York: Petition of Arthur S. Hoffman, of Richmond Hill, Long Island, N. Y., favoring military preparedness; to the Committee on Military Affairs.

Also, memorial of William H. Hubbell Camp, No. 4, Department of New York, United Spanish War Veterans, favoring pensions for widows; to the Committee on Pensions.

Also, memorial of Department of Labor and Industry, of Topeka, Kans., favoring passage of the Kern-McGillicuddy bill to amend the present workmen's compensation law; to the Committee on the Judiciary.

By Mr. DANFORTH: Petition of William H. Hubbell Camp, No. 4, United Spanish War Veterans, of Brooklyn, N. Y., favoring pensions for widows; to the Committee on Pensions.

By Mr. ESCH: Petition of H. F. Beckman and 28 others, of New Lisbon, Wis., urging passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of Council of the Congregational Churches of America, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of Religious Society of Friends of Pennsylvania, New Jersey, Delaware, and Maryland, protesting against preparedness; to the Committee on Military Affairs.

Also, petition of Electrical Supply Jobbers' Association, of Chicago, Ill., favoring passage of the Stevens bill; to the Committee on Interstate and Foreign Commerce.

By Mr. FESS: Memorial of Church of the Brethren of Huntington, Pa., and Fourteenth Annual Sunday School Institute of the Church of the Brethren, of southern Ohio district, opposing preparedness; to the Committee on Military Affairs.

By Mr. FOCHT: Evidence in support of House bill 7075, granting a pension to Martha E. Reamer; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 6580, granting a pension to Clara L. Vawn; to the Committee on Pensions.

Also, evidence in support of House bill 5016, granting an increase of pension to Luther Detwiler; to the Committee on Pensions.

By Mr. FULLER: Petition of general executive board of the United Brotherhood of Carpenters and Joiners, asking for the printing as a public document of the report of the Commission on Industrial Relations; to the Committee on Printing.

Also, papers to accompany a bill granting an increase of pension to Eliza A. Lantz; to the Committee on Invalid Pensions.

By Mr. GRIEST: Petitions of citizens of Columbia, Christiana, and Marietta, ninth Pennsylvania congressional district, favoring taxing mail-order houses; to the Committee on Ways and Means.

Also, memorial of National Council of Congregational Churches, urging national prohibition; to the Committee on the Judiciary.

Also, memorial of Pennsylvania Arbitration and Peace Society, urging permanent conference of American Republics; to the Committee on Foreign Affairs.

Also, memorial of Philadelphia (Pa.) Branch of the National Security League, favoring national defense; to the Committee on Military Affairs.

Also, memorial of American Oil Development Co., protesting against taxation on gasoline, etc.; to the Committee on Ways and Means.

Also, memorial of Columbus (Ohio) Chamber of Commerce and Chamber of Commerce of Pittsburgh, Pa., relative to determining railway mail pay; to the Committee on the Post Office and Post Roads.

By Mr. HILLIARD: Memorial of Denver citizens, for relief of Jewish war sufferers; to the Committee on Foreign Affairs.

Also, memorial of Chamber of Commerce of Denver, Colo., asking for investigation of railway rates on postal matter; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Denver, Colo., for printing hearings of Industrial Relations Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. HULBERT: Memorial of William H. Hubbell Camp, No. 4, Department of New York, United Spanish War Veterans, favoring pension for widows; to the Committee on Pensions.

Also, memorial of business men of New York State, advocating improvement of New York Harbor and other harbors and rivers of the State; to the Committee on Rivers and Harbors.

By Mr. KEISTER: Memorial of Woman's Christian Temperance Union of Portersville, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 7181, granting an increase of pension to Isaac Low; to the Committee on Invalid Pensions.

By Mr. LAFEAN: Memorial of National Council of Congregational Churches, favoring prohibition in the District of Columbia; to the Committee on the Judiciary.

By Mr. MILLER of Delaware: Evidence to accompany House bill 7249, granting an increase of pension to Edward P. Payne; to the Committee on Invalid Pensions.

Also, evidence to accompany House bill 7250, granting an increase of pension to John R. Magee; to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: Memorial of National Council of Congregational Churches, Boston, Mass., favoring prohibition in the District of Columbia; to the Committee on the District of Columbia.

By Mr. NEELY: Evidence in support of bill for the relief of Benjamin F. Smith; to the Committee on Invalid Pensions.

By Mr. POWERS: Memorial of American Federation of Labor, asking that an investigation be had by Congress of the United States Steamboat-Inspection Service and that an impartial commission be selected for that purpose; to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany House bill 8178, granting a pension to Sarah Scott; to the Committee on Pensions.

Also, memorial of the National Council of Congregational Churches, asking Congress to submit to the various States for ratification an amendment to the Federal Constitution providing for national prohibition; to the Committee on the Judiciary.

Also, papers to accompany House bill 7333, granting a pension to Edward Lay; to the Committee on Pensions.

By Mr. PRATT: Petition of J. H. Denton, of Campville, N. Y., protesting against any increase in preparedness for war; to the Committee on Military Affairs.

Also, petition of the National Council of Congregational Churches, favoring national prohibition; to the Committee on the Judiciary.

By Mr. RANDALL: Memorial of National Council of Congregational Churches, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ROWE: Memorial of Merchants' Association of New York, and indorsed by Seattle (Wash.) Chamber of Commerce, relative to railway mail pay; to the Committee on the Post Office and Post Roads.

Also, memorial of Pennsylvania Arbitration and Peace Society, relative to permanent conference of American Republics; to the Committee on Foreign Affairs.

By Mr. SMITH of Michigan: Petition of Gus L. Stein and 11 other citizens of Kalamazoo, Mich., favoring pensions for widows; to the Committee on Pensions.

By Mr. STEDMAN: Petition of operatives of E. M. Hall Planing Mills, of Burlington, N. C., against the child-labor bill; to the Committee on Labor.

By Mr. WATSON of Pennsylvania: Petition of Makefield Monthly Meeting of the Society of Friends of Newtown, Pa., against increase of armaments in the United States; to the Committee on Military Affairs.

Also, papers to accompany House bill 6410, to carry into effect the findings of the Court of Claims in the case of Amanda E. Macfarlane; to the Committee on Claims.

SENATE.

SATURDAY, January 8, 1916.

The Chaplain, Rev. Forrester J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou art the giver of all our blessings, and Thou art the inspiration of every high and noble thought, every generous act, and every divine ideal in us. In Thee we live and move and have our being. The measure of our power and influence for good is the measure of the ministry of Thy grace in our hearts and minds. Come near to us this day. Guide us in the discharge of the duties of the day. May we ever hold in reverence Thy name and ever walk in holy fellowship with Thee. We ask for Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

THE AQUEDUCT BRIDGE.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting a memorandum referring to the recommendation contained in the annual report of the Chief of Engineers concerning the construction of a new bridge to supplant the present Aqueduct Bridge over the Potomac River in the District of Columbia, which, with the accompanying paper, was referred to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS.

Mr. NELSON presented a petition of the Moyer Manufacturing Co., of Montevideo, Minn., praying for the enactment of legislation to provide subsidies for a merchant marine, which was referred to the Committee on Commerce.

He also presented a petition of the Moyer Manufacturing Co., of Montevideo, Minn., praying for a reciprocal tariff on agricultural implements with Canada, which was referred to the Committee on Finance.

He also presented a memorial of the Implements Dealers' Association of Owatonna, Minn., remonstrating against the formation of a monopoly in the sisal industry, which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of Nils Engebretsen, of Holt, Minn., praying that the salaries of fourth-class postmasters be increased, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Commercial Club of Crookston, Minn., praying for the enactment of legislation to relieve the congested condition of freight on the eastern seaboard, which was referred to the Committee on Commerce.

Mr. FLETCHER presented a petition of the Florida Educational Association, of Tallahassee, Fla., praying for increased appropriations for the maintenance of the Bureau of Education, which was referred to the Committee on Education and Labor.

He also presented a petition of the Rotary Club, of Pensacola, Fla., praying for an increase in armaments, which was referred to the Committee on Military Affairs.

Mr. MARTINE of New Jersey presented a petition of the Woman's Club of Upper Montclair, N. J., praying that kidnapping be incorporated in the list of extraditorial offenses, which was referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a petition of sundry citizens of Williamston, Mich., praying for the enactment of legislation to fix a standard price for patented and trade-marked articles, which was referred to the Committee on Education and Labor.

Mr. WADSWORTH presented a petition of Robert C. Ander-

son Camp, No. 26; United Spanish War Veterans, of Oswego, N. Y., and a petition of William H. Hubbell Camp, No. 4, United Spanish War Veterans, of Brooklyn, N. Y., praying for the enactment of legislation to grant pensions to widows and orphans of veterans of the Spanish War, the Philippine insurrection, and the China expedition, which were referred to the Committee on Pensions.

He also presented a petition of the Chamber of Commerce, of Watertown, N. Y., praying for the enactment of legislation to readjust the salaries of railway mail clerks, which was referred to the Committee on Post Offices and Post Roads.

Mr. MYERS. I present a petition of residents of Camas, Mont., praying for an appropriation of \$1,000,000 for work on the Flathead reclamation project in Montana. I ask that the petition be printed in the RECORD with the name of the first signer and the words "and many others" printed underneath, and that it be referred to the Committee on Indian Affairs.

There being no objection, the petition was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

To the President and Congress of the United States:

We the undersigned residents of Camas, Mont., comprising business men, professional men, and others, do earnestly and respectfully request of the "President and Congress of the United States" that an appropriation of not less than \$1,000,000 be passed by the present session of Congress for construction work for the ensuing year on the Flathead irrigation project.

Most of us have invested all the money we have in Camas on the strength of the promises made to the unit holders and Indians occupying lands within this project. At the present rate we are receiving appropriations it will take 25 years to complete this project, and men and women who entered upon this project five years ago will be broken in health and fortune before this irrigation scheme is completed.

In view of the foregoing facts, we most earnestly request of Congress that a large appropriation looking toward a very early completion of this project be passed by this session of Congress.

Respectfully submitted.

ALEX. R. RHONE
(And many others).

Mr. MYERS. I present a joint memorial of the Legislative Assembly of the Territory of Alaska, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the joint memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate Joint Memorial 9.

To the President of the United States, the United States Senate, and the United States House of Representatives:

Your memorialists, the Senate and House of Representatives of the Territory of Alaska, most respectfully represent that—

Whereas the Secretary of the Interior, in the case of the Miocene Ditch Co. (35 L. D. 297), held that the provisions of sections 18 to 21, inclusive, of the act of March 3, 1891, granting rights of way through the public lands for canals, ditches, and reservoirs, have no application to lands within the District of Alaska, while in the case of the Alaska Treadwell Gold Mining Co. et al. (40 L. D. 426), it was held that section 4 of the act of February 1, 1905, granting rights of way for dams, reservoirs, water plants, ditches, flumes, pipes, tunnels, and canals, within and across the national forests of the United States, is applicable to and is operative in forest reserves in the District of Alaska. The acts of Congress of February 15, 1901 (31 Stat., 790), and March 4, 1911 (36 Stat., 1253), provide, among other things, for right of way through the public lands, forests, and other reservations of the United States, and in certain national parks, for electrical plants, poles, and lines for the generation and distribution of electrical power and for telephone and telegraph purposes and for canals, ditches, pipes and pipe lines, flumes, tunnels and other conduits, and for water plants, dams, and reservoirs used to promote irrigation, mining, or quarrying, and the Secretary of the Interior on August 24, 1912, and January 6, 1913, has provided rules and regulations governing such rights of way, under the provisions of said acts, but it is not stated whether these acts shall apply to public lands in the Territory of Alaska, and while it has never been directly held that the provisions of these acts do not apply it is a fact that a number of applications have been filed under these provisions, but they have never been allowed, and, if the law as construed in the Miocene Ditch Co. case, supra, is adhered to, it follows as a natural consequence that the provisions of said acts do not apply to public lands in Alaska. We, therefore, have the anomalous situation of a transmission line passing over lands in Alaska partly within a national forest and partly over adjoining public lands, being unable to receive a franchise for its entire line, a result which it is believed was not contemplated when the laws were enacted; and

Whereas there are throughout the Territory of Alaska a large number of available and undeveloped power projects which can be developed and utilized as the demand for such industries increases; a number of small projects are now developed to a limited extent and are operating and furnishing light and power to settlements in the Territory, but all of those located on lands outside of forest reserves have no title or right under the law to use such lands, although they have expended in some cases large amounts of money in their development. This condition is intolerable and should not be allowed to continue because it prevents capital from investing, and retards the development of not only the available power projects but of other natural resources in the Territory: We therefore

Most respectfully urge your honorable body to pass a suitable law or laws providing for rights of way over all public lands, both reserved and unreserved, for electrical plants, poles, and lines for the generation and distribution of electrical power, and for telephone and telegraph purposes and for canals, ditches, pipes and pipe lines, flumes, tunnels, or other water conduits and for water plants, dams, and reservoirs used to promote irrigation, mining or quarrying, or the manufacture